

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

UNITED STATES OF AMERICA, ) AU:19-CR-00131(1)-LY  
)  
Plaintiff, )  
)  
v. ) AUSTIN, TEXAS  
)  
LUANN FABRIC CAMPOS LEAO HIDA, )  
)  
Defendant. ) DECEMBER 3, 2021

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TRANSCRIPT OF SENTENCING HEARING  
BEFORE THE HONORABLE LEE YEAKEL  
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APPEARANCES:

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Proceedings recorded by computerized stenography, transcript  
produced by computer.

09:29:54 1 (Open court, defendant present)

09:29:54 2 THE COURT: We're here this morning for sentencing in  
09:29:56 3 Cause Number 19-CR-131, *United States v. Luann Fabric Campos*  
09:30:06 4 *Leao Hida*.

09:30:07 5 Let me take announcements as to who is here,  
09:30:09 6 beginning with the government, please.

09:30:11 7 MR. SRINIVASAN: Good morning Your Honor.  
09:30:13 8 Karthik Srinivasan for the government. I'm joined by my  
09:30:15 9 co-counsel Keith Henneke, members of state and federal law  
09:30:18 10 enforcement, as well as the families and victims in this case  
09:30:21 11 in the back.

09:30:22 12 THE COURT: All right. And for the defendant?

09:30:23 13 MR. GONZALEZ-FALLA: Your Honor, Jose Gonzalez-Falla  
09:30:25 14 for Mr. Hida. And Charley Herring is here alongside.

09:30:30 15 THE COURT: All right. And the court notes that the  
09:30:36 16 defendant is present here in the courtroom also.

09:30:38 17 So would the defendant please state his name.

09:30:46 18 THE DEFENDANT: My name is Luann Leao Hida.

09:30:52 19 THE COURT: Mr. Hida, you have pleaded guilty to  
09:30:54 20 Counts One, Two and Three of a second superseding information,  
09:31:04 21 Counts One and Two charging you with sexual exploitation of a  
09:31:08 22 child and production of child pornography, both felonies, and  
09:31:13 23 Count Three, charging you with distribution of child  
09:31:18 24 pornography, a felony; is that correct?

09:31:20 25 THE DEFENDANT: Yes, Your Honor.

09:31:23 1 THE COURT: You pleaded guilty before United States  
09:31:25 2 Magistrate Judge Mark Lane on August the 26th, 2021. Do you  
09:31:32 3 remember that?

09:31:32 4 THE DEFENDANT: Yes, Your Honor.

09:31:34 5 THE COURT: Is it your intention to continue with  
09:31:35 6 your plea of guilty at this time?

09:31:37 7 THE DEFENDANT: Yes, Your Honor.

09:31:40 8 THE COURT: Is there a plea agreement in this case?

09:31:42 9 MR. GONZALEZ-FALLA: There is, Your Honor.

09:31:43 10 THE COURT: Mr. Hida, do you reaffirm the statements  
09:31:45 11 that you made in your plea agreement as well as the statements  
09:31:48 12 that were made in the factual basis that was presented to  
09:31:51 13 Judge Lane at the time you made your plea of guilty?

09:31:54 14 THE DEFENDANT: Yes, Your Honor.

09:31:55 15 THE COURT: Then the court accepts and adopts the  
09:31:58 16 report and recommendation of the magistrate judge, accepts your  
09:32:02 17 plea of guilty and finds you guilty of the offense to which you  
09:32:06 18 have pleaded guilty.

09:32:07 19 Have you had sufficient time to review with your  
09:32:11 20 lawyer the presentence investigation report prepared by the  
09:32:15 21 probation department in this case?

09:32:17 22 THE DEFENDANT: Yes, Your Honor.

09:32:19 23 THE COURT: Do you understand that under the  
09:32:21 24 guidelines established by the United States Sentencing  
09:32:23 25 Commission, which are advisory to this court, the probation

09:32:27 1 department has computed your total offense level as 41 and your  
09:32:34 2 criminal history category as one, meaning that if this court  
09:32:38 3 were to determine that a guideline sentence was appropriate in  
09:32:41 4 this case, I could sentence you to 405 months imprisonment in  
09:32:50 5 the Bureau of Prisons, a term of supervised release for the  
09:32:54 6 remainder of your life, a fine of \$500,000 restitution in an  
09:33:03 7 amount to be set by the court, which we will discuss, but right  
09:33:08 8 now we have outstanding restitution requests of \$360,663.69,  
09:33:17 9 and a special assessment of \$100 per count of conviction for a  
09:33:23 10 total special assessment of \$300?

09:33:29 11 THE DEFENDANT: Yes, Your Honor.

09:33:30 12 THE COURT: Do you also understand -- well, just a  
09:33:37 13 minute.

09:33:37 14 Do you also understand that you could also be subject  
09:33:42 15 to another special assessment of \$17,000 per count of  
09:34:01 16 conviction under the AVAA, the Amy, Vicky, and Andy Pornography  
09:34:11 17 Victim Assistance? You could be subjected to \$17,000 per count  
09:34:15 18 of conviction under that act. Do you understand that?

09:34:17 19 THE DEFENDANT: I believe I remember Judge Lane  
09:34:21 20 mentioned that these were not applicable because they happened  
09:34:24 21 before that law was enacted or something along those lines. I  
09:34:28 22 think my lawyer may remember this.

09:34:30 23 THE COURT: All right. Do you also understand that,  
09:34:34 24 under the statute under which you have been convicted, I could  
09:34:37 25 sentence you to 30 years confinement in the Bureau of Prisons

09:34:42 1 on each of Counts One and Two and 20 years confinement in the  
09:34:50 2 Bureau of Prisons on Count Three, a term of supervised release  
09:34:56 3 of the remainder of your life, a fine of \$250,000 per count of  
09:35:04 4 conviction, mandatory restitution as I have discussed above,  
09:35:10 5 and a special assessment of \$100 per count of conviction, for a  
09:35:16 6 total special assessment of \$300, and a further special  
09:35:28 7 assessment under Title 18 of the United States Code, Section  
09:35:33 8 3014, of \$5,000 per count of conviction, for a total additional  
09:35:38 9 special assessment of \$15,000?

09:35:43 10 THE DEFENDANT: Yes, Your Honor.

09:35:45 11 THE COURT: Does the government have objection to the  
09:35:46 12 presentence investigation report?

09:35:48 13 MR. SRINIVASAN: No, Your Honor. But, just to  
09:35:51 14 clarify, I think a discussion that the court had -- and  
09:35:54 15 Mr. Gonzalez-Falla might weigh in on this, too -- I'm not sure  
09:35:58 16 where the \$17,000 figure comes in. I think that Section 3013  
09:36:01 17 does provide for \$5,000 per count if the defendant is not  
09:36:05 18 indigent. But I don't think that the provisions of the AVAA  
09:36:09 19 apply because these crimes happened earlier in 2018, and that  
09:36:12 20 statute was not enacted until later in 2018. So I'm not sure  
09:36:16 21 where the \$17,000 comes in.

09:36:18 22 THE COURT: That's what we'll take up as we go  
09:36:21 23 forward. It's something that was presented to me by the  
09:36:25 24 probation department, and I wanted to make sure everybody was  
09:36:27 25 aware of that as something that we needed to take up here

09:36:30 1 today.

09:36:31 2 MR. SRINIVASAN: Yes, sir. But no objection to the  
09:36:32 3 PSR.

09:36:33 4 THE COURT: Does the defendant have objection to the  
09:36:34 5 presentence investigation report?

09:36:35 6 MR. GONZALEZ-FALLA: No, Your Honor, we don't. But I  
09:36:37 7 did inform the probation office that the year was incorrect on  
09:36:41 8 his release status. It should be 2019 instead of 2021, which  
09:36:46 9 is when he came into federal custody on the writ from Hays  
09:36:49 10 County. They are making the corrections, Your Honor.

09:36:51 11 THE COURT: Is that correct?

09:36:53 12 PROBATION OFFICER: That is correct, Your Honor.

09:36:54 13 THE COURT: All right. That correction will be made  
09:36:56 14 to the presentence investigation report.

09:36:58 15 So, Mr. Gonzalez-Falla, any objections to the  
09:37:00 16 presentence investigation report?

09:37:00 17 MR. GONZALEZ-FALLA: No, Your Honor. There are no  
09:37:01 18 objections to it.

09:37:02 19 THE COURT: Do you know of any legal reason why the  
09:37:04 20 court should not proceed with sentencing at this time?

09:37:06 21 MR. GONZALEZ-FALLA: No, Your Honor.

09:37:07 22 THE COURT: Mr. Srinivasan, does the government know  
09:37:10 23 of any legal reason why the court should not proceed with  
09:37:13 24 sentencing at this time?

09:37:14 25 MR. SRINIVASAN: No, Your Honor.

09:37:15 1 THE COURT: Mr. Gonzalez, Mr. Hida, if either or both  
09:37:19 2 of you have anything you would like to say to the court before  
09:37:22 3 the court pronounces sentence, I will hear from you at this  
09:37:26 4 time, and I will take whatever you have to say into account in  
09:37:30 5 determining the appropriate sentence to impose in this case.

09:37:37 6 MR. GONZALEZ-FALLA: Yes, Your Honor. Thank you.

09:37:41 7 Your Honor, this is a very difficult, sensitive, and  
09:37:45 8 painful case. I recognize that. The remarks that I'm making  
09:37:51 9 to the Court are very mindful of the families that have been  
09:37:56 10 impacted by Luann's crimes. And what I tell the Court today, I  
09:38:03 11 do not intend to minimize, to excuse, or in any way justify  
09:38:09 12 what Luann did, and I'm not seeking to blame anybody else for  
09:38:15 13 what he did.

09:38:19 14 My remarks seek to provide a balanced perspective and  
09:38:25 15 to amplify what I've already laid out in the sentencing  
09:38:28 16 memorandum that I filed under seal. I want the Court to get a  
09:38:32 17 complete picture. I want the Court to understand the causes  
09:38:37 18 and conditions that allowed for these crimes to occur and that  
09:38:42 19 allowed for them to continue. That is my duty. I note the  
09:38:48 20 Court recognizes that that is my duty and that that is what the  
09:38:52 21 Court expects me to do for my client, to help the Court  
09:38:54 22 understand what happened.

09:38:57 23 Crimes against children are the most painful crimes.  
09:39:02 24 They're the most painful crimes to experience for the children  
09:39:04 25 themselves, the most painful crimes to witness, and in a way

09:39:11 1 I've witnessed these crimes myself because I have seen all the  
09:39:14 2 images, I've seen all the videos, and I've heard all of the  
09:39:18 3 audios. These crimes pierce at our heart and they shatter our  
09:39:25 4 core. They cause extreme pain and discomfort, and they provoke  
09:39:30 5 an equally extreme response.

09:39:37 6           So how does one reach a just outcome? It requires  
09:39:43 7 reason. One must be rational. One cannot allow passions to  
09:39:49 8 rule. There has to be reason, compassion, and understanding.  
09:39:54 9 The sentence must be balanced and proportionate and measured.  
09:40:00 10 We all deserve compassion; we all deserve understanding. This  
09:40:08 11 is what elevates us above our most base nature. These are the  
09:40:16 12 qualities that bring us closer to each other as we treat each  
09:40:20 13 other as we would want to be treated.

09:40:24 14           Everyone deserves this treatment. The victims  
09:40:28 15 deserve this treatment; their families deserve this treatment.  
09:40:31 16 They deserve love; they deserve to be understood and heard.  
09:40:36 17 All of us merit this kind of consideration because we're human  
09:40:39 18 beings. This is the way that we've been taught to treat each  
09:40:44 19 other, and this is the way even someone who has done what Luann  
09:40:49 20 did deserves to be treated.

09:40:53 21           Our lives vary widely, but we all share in having to  
09:41:00 22 experience pain and suffering and trauma. But how we  
09:41:07 23 experience that is different. It's unique. Now, trauma is not  
09:41:14 24 an excuse for sex-offending behavior, but trauma does lead to  
09:41:18 25 maladaptive adult behavior, such as the sexual abuse that is



09:41:22 1 now before the Court.

09:41:26 2           Those who are sexually abused as a child are at  
09:41:30 3 significant risk of becoming abusers themselves. Studies show  
09:41:35 4 this; experience teaches us this. You yourself have seen these  
09:41:41 5 cases. And in 30 years that I've been practicing as a federal  
09:41:44 6 public defender, it is the most common thing that I have seen,  
09:41:48 7 how someone who has been traumatized as a child later repeats  
09:41:52 8 the trauma. It's an awful cycle. If left untreated, the  
09:41:58 9 confusion will lead to distorted thinking, and maladaptive  
09:42:02 10 adult behavior and sexual abuse.

09:42:08 11           Luann was sexually abused as a child. This  
09:42:12 12 experience was beyond his capacity to understand. The  
09:42:17 13 experience was profound and transformative. And Luann didn't  
09:42:26 14 understand at the time how wrong that behavior was or that  
09:42:28 15 experience, how corrupting it was, because he didn't understand  
09:42:32 16 that he himself was being exploited.

09:42:36 17           Now, Luann came to the United States when he was  
09:42:39 18 14 years old. He was already at that time sexually active with  
09:42:42 19 boys that were his age, and he believed that you could consent  
09:42:48 20 to that kind of sex. He didn't perceive sex as being traumatic  
09:42:55 21 or harmful as long as there was consent among the two parties.  
09:42:59 22 And this is the way he thought, and he was going to continue  
09:43:04 23 thinking that way unless there was some kind of intervention.  
09:43:08 24 And there wasn't any intervention even though there were  
09:43:11 25 warnings.

09:43:14 1 The first warning came when he was 17 as a junior in  
09:43:17 2 high school. A search warrant was executed at his home in  
09:43:21 3 Harker Heights. That search warrant produced clear evidence of  
09:43:26 4 child pornography that showed boys. Luann was questioned at  
09:43:34 5 the time, and he admitted that he was guilty of sharing this  
09:43:38 6 child pornography. He admitted that he was sexually interested  
09:43:42 7 in boys. That's a serious crime.

09:43:46 8 I've been in this court for many years, and I've seen  
09:43:49 9 many people go to prison for that crime for substantial lengths  
09:43:54 10 of time for just possessing child pornography, for sharing  
09:43:59 11 child pornography. But in 2011 that experience delivered no  
09:44:05 12 consequences. There were four to five therapy sessions that  
09:44:09 13 Luann experienced. That was all his mother could afford.

09:44:14 14 The State didn't intervene. There were no federal  
09:44:18 15 charges filed, apparently, because he was only 17 at the time.  
09:44:21 16 The State didn't take the case over. There was no intervention  
09:44:24 17 at all. There was no intervention where he would have to get  
09:44:31 18 sex offender treatment or he would have to confront the way  
09:44:34 19 that he was thinking or he would have to deal with this notion  
09:44:41 20 that this was okay.

09:44:45 21 And Leda, his mother, didn't even appreciate how  
09:44:50 22 serious this was. In fact, at the time she had formed a new  
09:44:53 23 relationship with his current stepfather, Tim, and she had  
09:44:57 24 moved 70 miles away and had left Luann alone to finish his high  
09:45:03 25 school years, his senior year, at Harker Heights.

09:45:08 1 And then in 2014, when the events that are captured  
09:45:10 2 in this indictment began, there was another incident where text  
09:45:14 3 messages or Skype messages between Luann, and I think it's  
09:45:18 4 Victim Number 14, appeared. And they were concerning, and they  
09:45:22 5 showed some pretty clear indications that this behavior of  
09:45:28 6 having sex with boys was taking place. And Victim Number 14  
09:45:33 7 denied it and even proposed that the texting was kind of an  
09:45:38 8 effort to blackmail Luann. No intervention happened, and there  
09:45:44 9 was no consequence.

09:45:51 10 As a predator, Luann is a bit of a pathetic predator,  
09:45:56 11 not to say that the impact of what he did isn't serious. But  
09:46:01 12 when you look at Luann, he was not this powerful figure. He  
09:46:07 13 wasn't an authority figure. He wasn't someone who occupied a  
09:46:10 14 position of trust in their lives. He was relatively young  
09:46:14 15 compared to the victims. He wasn't a generation older. I  
09:46:17 16 think usually he was about eight years older. He wasn't  
09:46:19 17 wealthy. He didn't intimidate or frighten or threaten any of  
09:46:22 18 the boys that were involved in these crimes. He didn't really  
09:46:25 19 see himself as being that different. Certainly he was older.

09:46:30 20 And the boys did not see themselves as powerless to  
09:46:34 21 resist what was happening. In the forensic interviews, I point  
09:46:37 22 out that one of the boys referred to him as "their bitch." One  
09:46:43 23 boy spoke about how they could hit Luann and how he wouldn't  
09:46:46 24 react. They even made fun of him. They used Luann in a way,  
09:46:56 25 in their own way, and Luann used them.

09:47:00 1 But what Luann did, even though the boys were  
09:47:06 2 incapable of agreeing to it, agreed to it. He never forced  
09:47:12 3 himself on anyone. He drove them where they wanted to be  
09:47:16 4 driven, to a theater, to Whataburger, convenience stores. If  
09:47:23 5 they -- he never disobeyed or went against their directions.  
09:47:28 6 And this is certainly captured on all of the audiotapes where  
09:47:32 7 he documented a lot of the contact with the boys.

09:47:37 8 In essence, he treated them as he would have treated  
09:47:39 9 himself. He always asked the boys if they were okay, if they  
09:47:43 10 were sure that they wanted to do what they were going to do, if  
09:47:46 11 they were going to be okay later. He never extorted the boys,  
09:47:50 12 and that's something that you see in these cases. But he  
09:47:55 13 himself was extorted. One of the audios reveals a boy  
09:48:01 14 demanding \$500 from him or he would go to the police.

09:48:07 15 But no meant no to Luann, and if anybody said no, he  
09:48:13 16 would stop. If anybody said they weren't comfortable doing  
09:48:18 17 this, it wouldn't happen. Now, that's not, again, to justify  
09:48:22 18 anything that occurred. But these consents and the recording  
09:48:25 19 of the consents show how much his distorted beliefs enabled  
09:48:30 20 these crimes and how he failed to appreciate the seriousness of  
09:48:33 21 the wrongdoing. And that's all changed. That's all changed  
09:48:41 22 because of the serious consequences that he faces today.

09:48:51 23 I want the Court to consider that he pled guilty. He  
09:48:57 24 did not have a trial. He didn't demand proof. He did not  
09:49:00 25 require the boys to come to court to testify, to re-experience

09:49:02 1 or re-traumatize. He didn't require that their images be shown  
09:49:08 2 at trial, to show what happened. He's 27 years old. He's  
09:49:14 3 spent the last three years in jail during the pandemic, a  
09:49:16 4 particularly difficult time. He himself caught COVID.

09:49:23 5 Several indictments remain pending in Travis and Hays  
09:49:26 6 County, charges that are serious. They are the most serious  
09:49:27 7 charges in the state system, sexual abuse of children, and  
09:49:28 8 there's no reason to believe that those charges are going to go  
09:49:32 9 away. Those charges and that crime -- those crimes will be  
09:49:38 10 addressed in state court.

09:49:50 11 Twenty-seven years. Twenty-seven years is what I'm  
09:49:52 12 asking for the Court to impose in this case. That's a serious  
09:49:55 13 sentence for a serious crime. It falls within the guideline  
09:49:57 14 range that we agreed to and that we negotiated for as part of  
09:50:01 15 this plea agreement.

09:50:02 16 Now, we recognize that that guideline range is an  
09:50:04 17 advisory guideline range, but it provides a benchmark, a  
09:50:08 18 measure, of what's reasonable. Eighty-five percent of those 27  
09:50:13 19 years would have to be served under the best-case scenario.

09:50:18 20 Luann will receive sex offender treatment and therapy  
09:50:22 21 that will address the serious mental issues that he possesses  
09:50:24 22 that the Court has seen in the psychiatric evaluation that I  
09:50:27 23 obtained for the Court to review. And that sex offender  
09:50:30 24 treatment is going to address these distortions and this way of  
09:50:35 25 thinking that is so persistent and damaging.

09:50:44 1 And that sentence of 27 years is not an outlier  
09:50:47 2 sentence when you look at cases involving production of child  
09:50:48 3 pornography. In fact, that sentence is four years greater than  
09:50:51 4 the average sentence length for child pornography production  
09:50:54 5 offenses across the country.

09:50:55 6 And Luann is going to be deported to Brazil upon  
09:50:58 7 completion of the sentence, and the Bureau of Prisons has civil  
09:51:01 8 commitment procedures where they could detain him or hold him  
09:51:05 9 for the rest of his life if he presents a danger to the public  
09:51:09 10 as a predator. So he's not going to get out of prison if he  
09:51:14 11 presents a danger to the public.

09:51:21 12 Now, I know the government is recommending the  
09:51:23 13 maximum sentence, 80 years. And I suggest to the Court that  
09:51:31 14 that recommendation is based on emotion, not reason. This is  
09:51:33 15 not the worst case to warrant the worst sentence. And I  
09:51:36 16 recognize and I have read the victim impact statements that  
09:51:40 17 have been sent by the families that have been affected by these  
09:51:43 18 crimes, and I share in their pain.

09:51:52 19 This case did not involve infants, it did not involve  
09:51:56 20 toddlers or preadolescent children. And, importantly, Luann  
09:52:01 21 does not suffer from pedophilic disorder, a pervasive sexual  
09:52:06 22 interest in preadolescent children, and that's important. He  
09:52:10 23 also doesn't suffer from any social personality disorder. And  
09:52:12 24 that's also important because, if those were present, then the  
09:52:16 25 chances of him benefiting from the treatment would be much

09:52:22 1 less.

09:52:24 2 The letters of support from his friends, from his  
09:52:27 3 family, and from people that worked with him, who care for him,  
09:52:30 4 show that he is cared for, he is loved.

09:52:38 5 A sentence of 80 years would be virtually a life  
09:52:41 6 sentence for him, and it's not necessary, it's not reasonable.  
09:52:45 7 Twenty-seven years is enough.

09:52:53 8 THE COURT: Mr. Hida, do you have anything you would  
09:52:56 9 personally like to say to the court before the court assesses  
09:52:58 10 sentence?

09:52:59 11 THE DEFENDANT: Your Honor, I'm freezing here. I'm  
09:53:05 12 not feeling very good. Can I -- I would respectfully like to  
09:53:10 13 ask to be the last person to make a statement so I could  
09:53:16 14 properly respond to any statements. Is that possible,  
09:53:23 15 Your Honor?

09:53:23 16 THE COURT: Yes. You will be given another chance to  
09:53:25 17 speak. All right. So you do not wish to speak at this time,  
09:53:30 18 but I will give you a later chance to speak.

09:53:32 19 THE DEFENDANT: Thank you, Your Honor.

09:53:33 20 THE COURT: Does the government have anything before  
09:53:35 21 sentence is pronounced?

09:53:37 22 MR. SRINIVASAN: Yes, Your Honor. Thank you.

09:53:39 23 This Court should impose the statutory maximum  
09:53:45 24 sentence of 960 months in this case. The Court has extensive  
09:53:51 25 submissions from the parties, so we'd like to just highlight a

09:53:55 1 few points here.

09:53:56 2           There is no doubt about what the defendant did,  
09:53:58 3 Your Honor. He raped children in our community. He filmed the  
09:54:03 4 sexual assaults, and he distributed many of those videos to  
09:54:08 5 others. There are more than twenty victims in this case who  
09:54:12 6 were between the ages of 12 and 17 when they were assaulted by  
09:54:15 7 this man.

09:54:16 8           As the Court considers its sentence, Your Honor, we  
09:54:20 9 note that Section 3553(b)(2) itself says that in cases  
09:54:24 10 involving crimes against children, there could be aggravating  
09:54:28 11 circumstances of a kind or to a degree not adequately taken  
09:54:32 12 into consideration by the Sentencing Commission in formulating  
09:54:35 13 the guidelines that should result in a sentence greater than  
09:54:39 14 the guidelines range.

09:54:40 15           It is something that Congress contemplated. It is  
09:54:42 16 built into the structure of our sentencing, Your Honor. And  
09:54:44 17 there are plenty of cases where district courts and appellate  
09:54:49 18 courts have imposed the maximum sentence and maximum  
09:54:52 19 consecutive sentences for particularly egregious crimes against  
09:54:56 20 children. This is the case, Your Honor, where the guidelines  
09:55:02 21 do not account for the scope and the scale of the defendant's  
09:55:05 22 conduct, and a guideline sentence is warranted.

09:55:08 23           This is among the most heinous and egregious set of  
09:55:13 24 crimes against children to have come through this court, and it  
09:55:15 25 is extraordinary in every way. It is extraordinary in the



09:55:19 1 number of children that were involved, extraordinary in the  
09:55:24 2 inhumanity and the depravity of what the defendant did. He  
09:55:29 3 even raped those who should have been the closest to him,  
09:55:32 4 Your Honor, children who should have been able to trust him as  
09:55:35 5 an adult. And that is what he is, and that is what he was at  
09:55:38 6 the time of these crimes. He was an adult.

09:55:41 7           Extraordinary in the way that he lured children with  
09:55:45 8 promises of alcohol and vapes, luring them and grooming them  
09:55:49 9 into these exchanges for sexual abuse. Extraordinary in his  
09:55:54 10 utter failure to feel any true remorse for his actions.

09:55:58 11           Mr. Gonzalez-Falla gave a powerful speech,  
09:56:01 12 Your Honor, but did not express remorse on the defendant's  
09:56:04 13 behalf. And he hasn't spoken to this court when he had the  
09:56:06 14 opportunity. What he wants to do is respond to what the victim  
09:56:09 15 families are doing, Your Honor. He wants to counterpunch.  
09:56:13 16 That was his chance to get up before this court and say that he  
09:56:15 17 was sorry; that he feels remorse for his actions; that he  
09:56:18 18 understands his moral culpability, Your Honor, not just his  
09:56:21 19 criminal culpability. And he did not take that opportunity.  
09:56:24 20 And that is very telling, Your Honor, because it ties into his  
09:56:28 21 extraordinary risk of re-offending. Even his own experts say  
09:56:33 22 that he is a moderate to high risk of re-offending.

09:56:37 23           So there are two themes that seem to emerge from the  
09:56:42 24 defendant's arguments for mercy in this case. First that he  
09:56:45 25 himself was a victim in his youth, and, second, that these were

09:56:49 1 teenagers and not minors or infants -- or no prepubescent  
09:56:54 2 minors -- I'm sorry -- and infants, Your Honor.

09:56:57 3           So while the Court must consider all the mitigating  
09:56:59 4 factors under 3661, the Court should give little weight to  
09:57:04 5 these factors. Unfortunately, there are many victims of sexual  
09:57:08 6 abuse and sexual assault in our society, but the overwhelming  
09:57:13 7 majority of them do not sexually abuse others.

09:57:16 8           So what's the real connection that the defendant is  
09:57:20 9 drawing here, Your Honor? And it is patently an attempt to  
09:57:23 10 shift responsibility, shift blame, provide another explanation,  
09:57:27 11 and put that explanation on others. He blames his family, he  
09:57:31 12 blames society, cultural factors, law enforcement, authority  
09:57:36 13 figures, and perhaps most prominently, Your Honor, the victims  
09:57:42 14 themselves for not stopping him. That was not their job.

09:57:47 15           And any idea that he did not appreciate the wrongness  
09:57:50 16 of his actions makes no sense on this record, Your Honor. He  
09:57:54 17 did his activities in secret. He hid them from others. He  
09:57:58 18 preyed upon children, teenagers, that he could hope would be  
09:58:04 19 silent out of peer pressure, shame, and their own pain.

09:58:08 20           He supplied them with alcohol, supplied them with  
09:58:13 21 vapes, Your Honor. They could not legally consent. And in a  
09:58:16 22 circumstance where there is partying and alcohol that is  
09:58:19 23 flowing that he is providing, I highly -- I take issue with the  
09:58:23 24 statement that they consented in every instance and that he was  
09:58:26 25 responsible for that, Your Honor. But, regardless, they could

09:58:28 1 not legally consent, Your Honor. They were minors, and the law  
09:58:31 2 recognizes that. They did not conspire in their own abuse, and  
09:58:36 3 he should not put that on them, Your Honor.

09:58:38 4 The age of the children is also not a mitigating  
09:58:42 5 factor. These children were between the ages of 12 and 17 when  
09:58:47 6 the abuse occurred. Some of them were his own family members,  
09:58:50 7 Your Honor. These are people who should have been able to  
09:58:52 8 trust him and able to expect that he would do the responsible  
09:58:57 9 thing as an adult.

09:58:58 10 And, Your Honor, on this record the Court has ample  
09:59:01 11 evidence that the age of the children has played almost no role  
09:59:04 12 in the lifelong impact that he has had. The Court has victim  
09:59:09 13 impact statements, and I expect the Court may hear from some  
09:59:12 14 victims who will provide ample witness, Your Honor, to the  
09:59:18 15 afflictions that these children, and some of them now young  
09:59:22 16 adults, are facing: psychological issues, psychiatric issues,  
09:59:27 17 relationships that have been broken. Some of the children have  
09:59:31 18 been suicidal and had their tender years ruined by this man.

09:59:37 19 Some of the victims and their families I think put it  
09:59:39 20 well, Your Honor, when they said that he stole their childhood  
09:59:42 21 and their innocence. And for that he should pay, and he should  
09:59:46 22 pay with the statutory maximum sentence.

09:59:49 23 Your Honor, you've heard a lot from counsel, whether  
09:59:53 24 here today or on our written papers. But I think the most  
09:59:56 25 significant and most important reasons for a statutory maximum

09:59:59 1 sentence come from the victims and their families themselves.  
10:00:02 2 We ask that those who choose to speak be permitted to address  
10:00:06 3 the Court.

10:00:07 4           What we've done to help aid the process and the  
10:00:09 5 record for the Court is that, to the extent that the victims  
10:00:13 6 were numbered in the original indictment, we provided some  
10:00:16 7 victim numbers to those victims and their families so that they  
10:00:20 8 may protect their identities but the Court still knows who is  
10:00:24 9 addressing the court.

10:00:25 10           There were twenty total victims in the plea agreement  
10:00:29 11 but only fifteen in the original indictment. There were five  
10:00:31 12 that were identified by law enforcement after the original  
10:00:35 13 indictment. They don't have numbers, Your Honor, but we've  
10:00:37 14 asked them to identify themselves as such. And we ask that you  
10:00:39 15 hear from them and the testimony that they provide. Thank you.

10:00:41 16           THE COURT: Thank you.

10:00:42 17           Does probation have anything further before sentence  
10:00:44 18 is imposed?

10:00:45 19           PROBATION OFFICER: No, Your Honor. Thank you.

10:00:46 20           THE COURT: All right. At this time, if there is  
10:00:48 21 anyone in the courtroom who does desire to speak with regard to  
10:00:53 22 this case before the court imposes sentence, I ask you to come  
10:00:58 23 forward at this time. I don't know how many of you there are.  
10:01:02 24 So everyone who wants to speak to the court, please raise their  
10:01:07 25 hand at this point.

10:01:10 1 All right. Then what I want you to do is to come  
10:01:13 2 forward one at a time to the gate, and then approach the  
10:01:17 3 microphone where the court security officer is going. And  
10:01:21 4 would three of four of you always be waiting in line to testify  
10:01:24 5 so that we can move people in and out quickly. In other words,  
10:01:28 6 to the extent you can, don't remain seated at this point. If  
10:01:32 7 you're going to speak to the court, get up and stand and then  
10:01:36 8 come forward one at a time. And, when you come forward, you  
10:01:40 9 may state yourself as a number and then share with the court  
10:01:46 10 anything you desire to share with the court.

10:01:48 11 Now, I will hear first from victims, if there is  
10:01:54 12 anyone, or victim advocates or relatives of victims. And then  
10:01:59 13 if there is anyone here who wants to appear and speak on  
10:02:02 14 Mr. Hida's behalf, I will hear from them next.

10:02:06 15 So everyone who desires to speak, please come to the  
10:02:09 16 gate at this time.

10:02:30 17 MR. SRINIVASAN: Your Honor, just briefly, I see some  
10:02:33 18 other faces here that perhaps we didn't have a chance to meet  
10:02:35 19 with before. To the extent that a victim doesn't have a  
10:02:37 20 number, we have the materials and we can give them a piece of  
10:02:41 21 paper with a number. So if they just want to ask us, we just  
10:02:42 22 ask for permission to give it to them.

10:02:43 23 THE COURT: You may do that.

10:02:45 24 MR. SRINIVASAN: Thank you.

10:02:45 25 THE COURT: You may do that.

10:02:46 1 All right. Please come forward one at a time to the  
10:02:48 2 microphone, and share with the court whatever you desire to  
10:02:51 3 share with the court.

10:02:54 4 UNIDENTIFIED SPEAKER: Thank you, Your Honor. I'm  
10:02:55 5 the father of one of the victims not numbered in the  
10:03:00 6 indictment. This letter was written to the defendant, but I'll  
10:03:04 7 try and address it to you.

10:03:08 8 I just want to note the terrible actions and behavior  
10:03:12 9 really have damaged my son, my entire family. The trauma he  
10:03:16 10 suffered and has worked hard to put behind him has been buried  
10:03:20 11 pretty deep inside him, not something that he spoke out or  
10:03:24 12 something that we even suspected of.

10:03:26 13 We spent much of the last few years high-tension,  
10:03:30 14 fruitless therapy, son's behavior worsened as he tried to cope  
10:03:35 15 with his feelings and understanding through terrible,  
10:03:38 16 instructive outlets, too ashamed, too closed up to share with  
10:03:41 17 me or his mother how he had been taken advantage of. He  
10:03:45 18 couldn't even start to process what had happened to him.

10:03:48 19 His high school experience and life has been  
10:03:50 20 completely upended by this. Certainly the last few years of  
10:03:54 21 his youth, in a time when he should have been coming into his  
10:03:58 22 own as an adult, were taken away. This is a time he should  
10:04:02 23 have been coming of age with his peers. Instead, he got a  
10:04:04 24 lifetime of therapy and a missing section of his childhood.

10:04:11 25 He's been through a lot of therapy, wilderness

10:04:15 1 schools, numerous high schools, all trying to cope with this.  
10:04:18 2 And what's sad is that, as he became upset and ashamed, a lot  
10:04:23 3 of his anger and resentment got taken out on his younger  
10:04:27 4 brothers, me, my wife, which created a lot of holes in our  
10:04:32 5 family that we're now going to spend years to repair, probably  
10:04:35 6 decades, as our son moves out and he tries to form these bonds  
10:04:40 7 that he should have been forming with his brothers and his mom  
10:04:41 8 and me over the last few years. Instead, we a have a big hole.

10:04:46 9 I found the -- the defense's comments personally just  
10:04:50 10 almost offensive and repugnant. It's just the lowest form to  
10:04:54 11 prey on children, and I just wanted to share our experience and  
10:04:58 12 hope that you consider the impact that it's had on us as you  
10:05:02 13 consider this.

10:05:02 14 THE COURT: Thank you.

10:05:22 15 UNIDENTIFIED SPEAKER: My sons are Victim 1 and  
10:05:24 16 Victim 14. Neither of them were able to write victim impact  
10:05:30 17 statements because doing so was too emotionally traumatic. And  
10:05:34 18 so I stand before you today to speak on their behalf.

10:05:38 19 What happened to my children is particularly heinous  
10:05:41 20 because Hida is their stepbrother. He lived in their father's  
10:05:44 21 house for quite some time. He began grooming and abusing them  
10:05:49 22 while he lived there. This all started when my youngest son  
10:05:52 23 was 11 or 12 years old and continued well until he was in high  
10:05:56 24 school.

10:05:58 25 As a result of Hida's actions, both of my sons suffer

10:06:01 1 from PTSD. My oldest son has tried to commit suicide multiple  
10:06:07 2 times, he as a drug dependency problem, and has had to spend  
10:06:11 3 time in mental health institutions on several occasions. He  
10:06:15 4 doesn't sleep well, he harms himself, and he has an eating  
10:06:19 5 disorder. He is unable to function like a normal human being.  
10:06:24 6 It is difficult for him to work or to maintain any sort of  
10:06:27 7 friendship due to the abuse he suffered.

10:06:31 8           My youngest son went from being a happy little boy  
10:06:34 9 who just wanted to have friends to someone who is afraid to get  
10:06:38 10 close to anyone. He began to withdraw in high school. Now  
10:06:43 11 he's in college and, aside from going to class, he never leaves  
10:06:47 12 his dorm room. He has to have his own room because he cannot  
10:06:52 13 share a close space with another man. He doesn't spend time  
10:06:55 14 with his suite mates. He doesn't go to parties. He doesn't do  
10:06:58 15 anything because he cannot trust other men.

10:07:05 16           Not a day goes by that I do not think about what  
10:07:08 17 happened to my children; that I do not feel guilty for not  
10:07:13 18 protecting them from this predator; and for not seeing the  
10:07:17 19 signs of their abuse. My heart is broken. And while I am sure  
10:07:22 20 that my children try not to think of the trauma which they  
10:07:25 21 endured, they live with the PTSD and shame that Hida's actions  
10:07:28 22 have caused them. Even though they have been in therapy to  
10:07:32 23 address the issue, they still continue to suffer the effects of  
10:07:35 24 the abuse they endured at his hand.

10:07:38 25           My children were vulnerable, and all they wanted was



10:07:41 1 to fit in and have friends. Hida took advantage of that. He  
10:07:48 2 stole their chance at ever having normal lives. My sons will  
10:07:52 3 never have a normal brotherly relationship. We will never have  
10:07:57 4 normal family time. Hida shattered our lives, and we will  
10:08:01 5 never be the same.

10:08:05 6 Luann Hida is a sociopath and a pedophile who will  
10:08:08 7 never be reformed. He did not limit himself to random kids he  
10:08:12 8 picked up through Snapchat or WhatsApp. He did this to his own  
10:08:18 9 half brother and stepbrothers, the very people he should have  
10:08:20 10 been protecting. There is no cure for this behavior. There is  
10:08:24 11 no changing it.

10:08:25 12 Your Honor, I respectfully ask that this monster  
10:08:28 13 receive the maximum sentence allowable so that he will not harm  
10:08:32 14 anyone else.

10:08:49 15 UNIDENTIFIED SPEAKER: Good morning, Judge Yeakel.  
10:08:51 16 Thank you for this opportunity to write this impact statement.  
10:08:56 17 It is incredibly difficult and emotional to put in words  
10:09:00 18 exactly how this man and his horrific actions have affected my  
10:09:03 19 son and our entire family.

10:09:09 20 When this first happened, our son kept it from us out  
10:09:12 21 of shame. And, thankfully, another parent, the parents of a  
10:09:16 22 friend of his, became aware of some possible wrongdoing and  
10:09:20 23 contacted the Lakeway Police Department. From there, for the  
10:09:24 24 most part, this entire case we are here for today came to  
10:09:28 25 light, and I would like to add my thanks to the dedication of

10:09:35 1 Detective Mary Proctor and to FBI for bringing the case to this  
10:09:41 2 point for this man to be sentenced for his crimes.

10:09:45 3 Our son fully cooperated with police and was bravely  
10:09:48 4 able to give details that helped get us where we are today, as  
10:09:55 5 I'm sure these other young men who are here did.

10:10:01 6 To say the least, this horrible event has impacted  
10:10:03 7 not only our son, but every member of our family. It destroyed  
10:10:08 8 his sense of self-worth, his ability to cope, and his ability  
10:10:11 9 to trust. In his own words, he didn't see any value in  
10:10:17 10 himself. He was angry, lashed out on a regular basis not only  
10:10:23 11 to me and his father and the walls of our homes, but, most  
10:10:26 12 importantly, in the form of self-harm. He begin cutting his  
10:10:29 13 legs and his arms. He has multiple scars left from his  
10:10:34 14 self-inflected wounds. He at one time bashed his head so hard  
10:10:39 15 into his car windshield, he cracked it.

10:10:42 16 He was mercilessly bullied at school to the point of  
10:10:45 17 him holding a gun to his head and threatening suicide. He was  
10:10:49 18 hospitalized in a psychiatric unit for ten days and released  
10:10:53 19 home to us. He underwent several therapists, but the trauma  
10:10:56 20 was so deep, he was unable to connect and work completely with  
10:10:59 21 them. His anger outbursts were scary and hard to handle, to  
10:11:05 22 say the least.

10:11:10 23 I say that I have been traumatized, and his brothers  
10:11:14 24 and father as well. Obviously, his trauma is the most  
10:11:18 25 important, but we have all been traumatized by our son's anger.

10:11:25 1 We were able to put him in a different school, and he lived  
10:11:28 2 somewhat of a normal life in high school. But with his coping  
10:11:32 3 mechanisms and sense of any self-worth destroyed, he would  
10:11:36 4 often fall into bouts of depression, manic behavior, and  
10:11:39 5 frequently threatened to kill himself. He turned to drugs to  
10:11:41 6 mask his pain.

10:11:42 7 We tried valiantly to help him, but we didn't have  
10:11:45 8 the true skills to do so. Watching your son fall deeper and  
10:11:49 9 deeper into a hole is devastating as a parent. It's a pain  
10:11:53 10 like no other to watch your child that you gave birth to suffer  
10:11:57 11 so many demons inside of him.

10:12:00 12 Since this happened to him in the spring of 2018,  
10:12:03 13 he's been up and down a roller coaster of emotions, finally  
10:12:08 14 hitting rock bottom at the end of 2020. He had to be  
10:12:11 15 hospitalized once again for suicidal ideations and extreme  
10:12:15 16 depression.

10:12:16 17 In January of this year, his father and I were able  
10:12:18 18 to get him into a wilderness therapy program to begin the long  
10:12:23 19 road of mental and physical healing. He's currently in a  
10:12:28 20 therapeutic boarding school in another state.

10:12:30 21 The financial tole of getting my son to a point of  
10:12:33 22 well functioning is enormous. We have spent a minimum of  
10:12:38 23 \$175,000 in doing so and are not done yet. The emotional toll  
10:12:43 24 is completely immeasurable.

10:12:46 25 I tell you this last part so you know my son is alive

10:12:49 1 and will grow to be, in our opinion, a successful young man.  
10:12:54 2 He is working very hard to understand that he is worthy of good  
10:12:57 3 relationships and that this horrific incident does not define  
10:13:02 4 him. He's told me that his high school years were supposed to  
10:13:05 5 be fun and that he basically didn't get any of that.  
10:13:08 6 Hopefully, he can find that in his future.

10:13:11 7 My son, his father, and I absolutely agree that the  
10:13:16 8 man who did this to him should serve significant time for his  
10:13:21 9 crime. Not only did he physically assault my son, raped him,  
10:13:24 10 and other innocent young men, too, but he also recorded it and  
10:13:28 11 distributed these disgusting videos to others. He has no  
10:13:32 12 regard for how he would destroy my son and what it would do to  
10:13:36 13 him when he committed these acts.

10:13:38 14 He deserves to be incarcerated for many, many years  
10:13:41 15 as his punishment.

10:13:43 16 I am the victim -- mother of Victim Number 2.

10:13:46 17 THE COURT: Thank you.

10:13:58 18 UNIDENTIFIED SPEAKER: Good morning. My son was not  
10:14:00 19 one of the numbered -- numbered people, if that makes sense.  
10:14:05 20 I'm just going to read what I wrote.

10:14:08 21 The following is my victim impact statement to  
10:14:19 22 communicate how this crime has affected me and our family.

10:14:23 23 Prior to the crime happening, I had heard from the  
10:14:26 24 counselors at my son's middle school about a predator in the  
10:14:29 25 area who would sit at the Cane's restaurant across the street

10:14:33 1 from the school and peddle vapes and alcohol to the kids after  
10:14:37 2 school. My ears perked up. I warned both of my children about  
10:14:40 3 this man and to be on the alert. This was in the fall of 2016.

10:14:46 4 Midway through my son's sixth grade year, his  
10:14:48 5 personality completely changed. He suddenly went from being a  
10:14:53 6 normally developing adolescent with friends and activities to  
10:14:56 7 someone we didn't recognize. The first signs were that his  
10:14:58 8 grades plummeted. He couldn't complete assignments, and he  
10:15:02 9 wasn't able to keep up with his grade. His physical appearance  
10:15:05 10 changed in regards to his hygiene. He struggled to sleep and  
10:15:09 11 exhibited signs of depression.

10:15:10 12 We also discovered he was drinking, vaping, and using  
10:15:14 13 marijuana. He would sneak out many nights a week. There were  
10:15:17 14 also a few instances of self-harm. No amount of listening,  
10:15:20 15 talking, and consequences seemed to affect him at all. By the  
10:15:25 16 end of sixth grade, his dad and I drove him to a residential  
10:15:28 17 treatment center for help in May of 2017. He came home after  
10:15:33 18 five weeks, and in less than a month continued with the same  
10:15:35 19 behaviors.

10:15:36 20 I heard from his friends that two kids in their  
10:15:39 21 friend group had been molested by this man. This was the first  
10:15:44 22 inkling I had that my son could have been a victim. I spoke  
10:15:47 23 with him and his friends about it and how important it is to  
10:15:48 24 tell a safe adult if that is -- if that had happened to you and  
10:15:52 25 how holding the secret inside makes people sick.

10:15:55 1 A year later, after changing schools to change his  
10:15:58 2 environment, thinking this would help, he started doing more  
10:16:02 3 severe drugs on a regular daily basis, and all of the behaviors  
10:16:05 4 mentioned before were increasing. He was only thirteen in  
10:16:08 5 seventh grade. We had him in therapy with a private practice  
10:16:12 6 therapist, and he was on the football team. No one could reach  
10:16:15 7 him. Consequences didn't make any difference.

10:16:17 8 He went away again to a residential treatment center.  
10:16:20 9 I had to hire two men to take him away at night. The emotional  
10:16:24 10 toll this took on me was indescribable. He was screaming and  
10:16:28 11 thought he was being kidnapped. Yet he wouldn't agree to go to  
10:16:30 12 treatment, so I felt this was his only other choice. I was  
10:16:33 13 afraid he would die of an overdose.

10:16:34 14 While he was at treatment, his counselor called to  
10:16:37 15 inform me that my son reported to the psychiatrist that he had  
10:16:40 16 been molested. When he returned home, he told us about what  
10:16:43 17 happened. A few weeks later I read an article about this case  
10:16:48 18 and how the FBI was seeking information. I called the FBI, and  
10:16:51 19 we got involved with the case.

10:16:58 20 Jason and one of the other -- there are three people  
10:17:03 21 that came over to my house one morning from the FBI with  
10:17:06 22 pictures taken from his phone of the boys he had photographed.  
10:17:10 23 I identified [REDACTED] in the photo printout -- I identified my  
10:17:14 24 son in the photo printouts and also one or two of his friends.  
10:17:17 25 This took an emotional toll on me, and I had to take off work

10:17:21 1 for the remainder of the week.

10:17:22 2 I brought him in for the interview with the FBI a few  
10:17:25 3 weeks later. His therapist warned me that this would be  
10:17:28 4 difficult for him and have a negative effect. Two days after  
10:17:31 5 the interview, he was caught at school with a water bottle that  
10:17:34 6 was partially full of alcohol and a wine bottle in his  
10:17:36 7 backpack. He was later expelled from school for bringing a  
10:17:39 8 hunting knife and having a small amount of weed.

10:17:41 9 We sent him to a boarding school the following year.  
10:17:44 10 He was kicked out after a few months for having prescription  
10:17:47 11 pills. The year of COVID proved to be more of the same. We  
10:17:50 12 are now at the end of 2021, and we have a bed reserved for him  
10:17:54 13 at yet another residential treatment center soon. He will be  
10:17:58 14 there for three to six months. He continues to use substances,  
10:18:01 15 anything he can find, to self-medicate. He's failing nearly  
10:18:05 16 every class right now.

10:18:07 17 My son has been to five different schools since 2017  
10:18:10 18 and two rehabs in an effort to help him heal and offer him a  
10:18:14 19 fresh start. He spent many hours in therapy; I've spent many  
10:18:18 20 hours in my own therapy. He's been expelled twice.

10:18:19 21 The toll it has taken on our family is beyond  
10:18:22 22 comprehension. As a sexual abuse survivor myself, the fact  
10:18:25 23 that this happened to my own son is devastating. I've have had  
10:18:29 24 days and weeks off of work to try to balance the emotional toll  
10:18:32 25 as a therapist and make sure I'm caring for myself, because I'm

10:18:35 1 also a therapist and I work with teens. I am currently not  
10:18:39 2 able to accept new clients and have just this past week  
10:18:42 3 enrolled myself in an eight-week self-help support group for  
10:18:45 4 parents of troubled kids.

10:18:46 5 Financially, we have spent well over \$100,000 on  
10:18:49 6 rehabs, boarding schools, lawyers fees for his case regarding  
10:18:53 7 the knife he brought to school, family and individual therapy,  
10:18:55 8 and psychiatrist fees. That fee is more than I can make in a  
10:18:59 9 year as a trauma therapist in private practice.

10:19:02 10 My son is not in a state of mind to write his own  
10:19:05 11 victim impact statement. I do have a screenshot of a journal  
10:19:09 12 entry he wrote while he was in rehab in 2017.

10:19:12 13 This is what it reads: "Loter, you really fucked up  
10:19:16 14 my shit, and now I'm in rehab. Fuck you. You're a piece of  
10:19:19 15 shit, and I hope you go to prison. You are the grossest person  
10:19:22 16 I've ever been around, and I hope you die and suffer in pain."

10:19:26 17 The second paragraph, which is slightly harder to  
10:19:27 18 read, says: "Loter, I hope you understand that you're a  
10:19:28 19 fucking pedo."

10:19:30 20 Thank you for understanding the impact that he has  
10:19:32 21 had on our family.

10:19:37 22 THE COURT: Thank you.

10:19:45 23 UNIDENTIFIED SPEAKER: Good morning, I'm one of the  
10:19:47 24 unidentified victims.

10:19:53 25 I am incredulous at the audacity of the defense in



10:19:58 1 suggesting the minimum. I was 14 years old when this happened  
10:20:01 2 to me. I rode the bus to school the next morning. In one of  
10:20:05 3 our conversations, I may have told the defendant I would not  
10:20:10 4 wish prison on my worst enemy. I would not say that, while he  
10:20:12 5 was nowhere near my worst enemy, he will still deserve every  
10:20:13 6 tortured second he spends in a cell, for the crimes he has  
10:20:16 7 committed are simply beyond describable evil. And if it is  
10:20:18 8 deserved by anyone to withstand or succumb to the hell of  
10:20:20 9 incarceration, it is certainly him.

10:20:24 10           There have been few sexual predators as depraved as  
10:20:27 11 this man in public record, and I hope today justice is done.  
10:20:30 12 It has been three years since his arrest, and we have waited  
10:20:32 13 patiently for justice the entire while, in which time the  
10:20:35 14 aftereffects of his violence wreaked havoc on my life.

10:20:39 15           The three charges brought up against him are a  
10:20:40 16 laughable representation of the evil he brought into far more  
10:20:44 17 than three lives, and I personally identified more than three  
10:20:47 18 of my own friends in the disgusting collection of pornography  
10:20:51 19 he created.

10:20:52 20           And, if for whatever reason I find today's sentencing  
10:20:55 21 unsatisfying, I will find solace in the fact that I tried to  
10:20:57 22 create justice on their behalf by speaking against him today.  
10:21:01 23 We should not have to create our own justice, and we should not  
10:21:03 24 have to find our own peace, which has been a seemingly  
10:21:06 25 impossible task.

10:21:07 1 When he met us, he saw already damaged and vulnerable  
10:21:11 2 boys as young as 12 years old and preyed on them. Now, as I  
10:21:17 3 approach the advent of my adulthood, I live with the diagnosis  
10:21:19 4 of complex PTSD, unspecified anxiety and depression disorders,  
10:21:26 5 drug abuse, drug problems, and must work every day to overcome  
10:21:30 6 the trauma responses he created. That is my life.

10:21:33 7 Hida is extremely manipulative, highly narcissistic,  
10:21:38 8 and probably psychopathic. I believe he has no capacity for  
10:21:41 9 reform and would repeat his crimes if ever released from  
10:21:44 10 prison. And it breaks my heart to learn that authorities were  
10:21:46 11 aware of his behavior well before I was involved.

10:21:49 12 But no matter what sentence is given to him today,  
10:21:53 13 even though I urge you to prescribe the maximum, my peace will  
10:21:59 14 remain unaffected. The pitiable fact that he will spend the  
10:22:02 15 rest of his years incarcerated is a contribution to that  
10:22:05 16 comfort but does not constitute it. His life in a solitary  
10:22:08 17 confinement unit is small recompense for the life he stole from  
10:22:13 18 me, my family, my friends, and many, many other survivors of  
10:22:18 19 his malevolence.

10:22:18 20 His death in a prison hospital is insignificant  
10:22:21 21 compared to the death of my childhood, either by their  
10:22:25 22 childhoods and all the other souls he touched. I know that he  
10:22:29 23 will suffer horrendously in prison, either by insanity induced  
10:22:34 24 by solitary confinement or by the actions of his peers. But my  
10:22:37 25 comfort is not drawn from that inasmuch as it is drawn from the

10:22:42 1 fact that, through his evil, I have survived and become a  
10:22:44 2 stronger and better man than he will ever be, and I have looked  
10:22:48 3 his evil in the eyes and rejected it. He did not break me, and  
10:22:52 4 from the derelict section of prison he will be made to call  
10:22:55 5 home, he will never be able to.

10:22:58 6 THE COURT: Thank you.

10:23:12 7 UNIDENTIFIED SPEAKER: Good morning, Your Honor. I'm  
10:23:12 8 the father of one of the victims.

10:23:14 9 I didn't intend to speak, but my son indicated that  
10:23:17 10 he would like me to. I wrote you a victim impact statement,  
10:23:23 11 and I cited the recidivism rate and the percentages of  
10:23:29 12 offenders and victimization and the ratios.

10:23:32 13 In this case, I'm grateful to the parents that have  
10:23:40 14 spoken and shared their grief and the impact. But I'm very  
10:23:48 15 proud of my son, who handles it better than I do. I have a  
10:24:08 16 background in these proceedings that I care not to share in  
10:24:11 17 open court. What I heard that defense point out was  
10:24:18 18 compassion, and he makes a good point. He made several good  
10:24:23 19 points.

10:24:24 20 But what the prosecutor pointed out and shared was  
10:24:29 21 the concealment and the repetition and the lack of remorse.  
10:24:35 22 I'm not a psychologist. He's been cited as sociopath, and I  
10:24:43 23 don't believe in armchair diagnoses. What I do know is there's  
10:24:51 24 a high probability of more victims. And, as I cited in my  
10:24:56 25 letter to you, in this case there are approximately 100, or an

10:25:01 1 estimate of 100. So at a 20 percent recidivism rate, to let  
10:25:08 2 him back out, there's 20 more children per 100. It doesn't  
10:25:12 3 sound like good odds to me.

10:25:15 4 I appreciate the Court's indulgence.

10:25:17 5 THE COURT: Thank you.

10:25:30 6 UNIDENTIFIED SPEAKER: Good morning.

10:25:31 7 THE COURT: Good morning.

10:25:32 8 MS. CHILDS: I'm very nervous and about to pass out.

10:25:37 9 And never imagine in all my life being in this situation.

10:25:41 10 First I want to say I'm sorry for all the families, and we  
10:25:46 11 apologize with all my heart, with all my heart for everybody  
10:25:51 12 here. I want to say I apologize for what my son did, for your  
10:25:58 13 sons, with all my heart.

10:26:00 14 I hope I can talk here today. When I left my  
10:26:09 15 country, I never imagined being here in a situation like this.  
10:26:18 16 Twelve years ago I had dreams about his future. He was smart.  
10:26:29 17 He's good for me, for my family, and everybody loves him.  
10:26:35 18 Everybody. But I am the only one here. I don't have my  
10:26:38 19 family. I don't have my sisters. I don't have nobody here,  
10:26:41 20 just me and God to help me in this situation.

10:26:50 21 Like Mr. Gonzalez say, I was not there to protect my  
10:26:54 22 son when somebody abused him. He was six years old. He was a  
10:26:59 23 baby. And this hurts me today. My son, he has been rejected  
10:27:12 24 since he was in my belly by his daddy, by my family, because I  
10:27:17 25 get pregnant when I was so young. I don't have maturity. I

10:27:22 1 was not smart. And I did not have money to take care of him.  
10:27:26 2 I have nothing. I feel sorry because I don't have nothing to  
10:27:31 3 take care of him.

10:27:34 4 I ask could you please have mercy for my son because  
10:27:41 5 he was -- I can die for him because all this time I have been  
10:27:45 6 so sorry. All the time I think about his life, and I'm just  
10:27:51 7 sorry. I'm sorry, Luann, if I was not protecting you at that  
10:27:58 8 time because I was working. Just God know I was working when  
10:28:04 9 somebody did something to my son, too.

10:28:07 10 Like Mr. Gonzalez describe it, this happened for the  
10:28:11 11 other kids, he repeats what happened to him. I feel so sorry.  
10:28:22 12 I wanted to protect you, my son. I came here to have the  
10:28:33 13 opportunities in this country. I love this country. I love  
10:28:36 14 Texas. This is my second home. It's a great place.

10:28:42 15 And I feel like all the opportunity we have here, and  
10:28:47 16 I please beg mercy for my son so he has some opportunity in his  
10:28:53 17 life, because since he's born he just suffered all his life  
10:28:58 18 with all trauma he has been through. And I know he has a good  
10:29:04 19 heart. The people who work with him and his teacher -- I have  
10:29:10 20 some picture of his French teacher with pictures of his  
10:29:14 21 friends.

10:29:14 22 He's not -- I know people think he's a monster like  
10:29:16 23 they say, but he is not a monster. He needs some help. He  
10:29:23 24 needs some help, and I needed more help, too. Please, I pray  
10:29:34 25 to have mercy to my son.

10:29:40 1 I do beg and I want to say sorry for all the family  
10:29:45 2 here. I apologize with all my heart, and believe all the words  
10:29:50 3 I say here for you guys is true. It's true. It's very true.

10:30:02 4 I have a lot of people right now in Brazil praying  
10:30:07 5 for us. His children, my family, my daddy, my brothers and  
10:30:13 6 sisters, everybody now. I think about this moment and I never  
10:30:21 7 in my life be through this situation.

10:30:25 8 Luann, the first day he went to high school here, I  
10:30:31 9 remember he's walking through the school. I was behind him.  
10:30:37 10 And I said, Oh, my gosh. Thank you, God. Thank you, thank  
10:30:41 11 you, thank you for this opportunity for my son, because five  
10:30:46 12 years ago we was in bad place in Brazil. I was so happy. I  
10:30:53 13 was so happy.

10:30:56 14 And he went to the high school, and he make first  
10:30:58 15 trip to Europe with the French teacher. All the group was so  
10:31:05 16 happy. I was very proud of it. I was so proud of him. Please  
10:31:12 17 have mercy to my son, God. Please. I'm sorry for my son. I  
10:31:22 18 was not a good mom for not protecting my son.

10:31:29 19 His work, he has opportunity back to Brazil and have  
10:31:36 20 his dream and finish school. He went to jail when he was 24,  
10:31:42 21 almost 25 years old. He's too young. He have lot of trauma in  
10:31:51 22 his life, believe me.

10:31:52 23 I sent a letter to Mr. Gonzalez, to Your Honor, and  
10:31:59 24 that's all I want to wish. I wish I had the letter, but I say  
10:32:05 25 no. I want to tell them everything from my heart because what

10:32:09 1 you see my eyes, that is true. And I feel sorry. I never  
10:32:17 2 wanted this to happen to him. I know as a mother God knows he  
10:32:22 3 has a good heart. Thank you.

10:32:33 4 THE COURT: Is there anyone else in the audience  
10:32:35 5 desiring to speak before sentence is imposed?

10:32:40 6 (No response)

10:32:40 7 THE COURT: Mr. Hida, Mr. Gonzalez, if either or both  
10:32:44 8 of you have anything you would like to say in addition to what  
10:32:47 9 you've already said or in response to anything that's been said  
10:32:50 10 by anyone else, you may address the court at this time.

10:32:54 11 THE DEFENDANT: Yes, Your Honor. I have a -- I'm  
10:33:02 12 sorry.

10:33:13 13 My name is Luann Leao Hida. I may not sound like it  
10:33:23 14 or may not really have an accent, but I am from Brazil and was  
10:33:30 15 born in 1994. I -- as far as -- as far as back as I remember,  
10:33:40 16 I never had a father or -- I mean, my biological father was  
10:33:48 17 never there. I do remember when I was about four or five years  
10:33:54 18 old, I have a very faint memory of my -- my first stepdad,  
10:34:01 19 Adilson. That was my -- somebody I regarded as my father.  
10:34:08 20 He's the father of my half brother.

10:34:11 21 He was the person that got with my mom at the time,  
10:34:16 22 and she taught me to call him my father. He was a federal  
10:34:23 23 police officer in Brazil. And I think that by the time I was  
10:34:30 24 six and seven, I started -- I remember being aggressively  
10:34:38 25 abused by my stepfather. And that -- that includes my mother,

10:34:48 1 too. He was an abusive drunk. He would beat up my mom. I  
10:35:00 2 presenced her -- I presenced [sic] him pushing her off a hill.

10:35:06 3 And he left. I was only about six years old. I  
10:35:13 4 remember she hugged me, and she told me to never be that kind  
10:35:17 5 of -- that kind of man. This physical abuse was also stretched  
10:35:22 6 to me. I know all kids, you know, misbehave. I understand  
10:35:29 7 physical punishment to a certain extent, you know, a little  
10:35:32 8 spanking or something. But this was definitely not the case.  
10:35:41 9 Like I said, I was six or seven years old. He would beat me up  
10:35:45 10 with a belt. And the belt -- and he used the belt buckle. And  
10:35:52 11 to this day I cannot remember what I did to trigger that. But,  
10:35:58 12 whatever it was, I cannot justify somebody beating up such a  
10:36:03 13 young child. It was such a severe way -- (weeping).

10:36:14 14 I have a little brother who is that age right now,  
10:36:18 15 and I cannot -- I cannot -- I cannot see him, me, or anybody  
10:36:24 16 using that amount of violence against -- against him, against a  
10:36:29 17 child so small. I just can't -- I can't understand that.

10:36:34 18 And that behavior from him, my stepdad, it kind of  
10:36:40 19 went away for a little while. But when I was nine or ten years  
10:36:46 20 old, it came back. It was there. It was present. He became  
10:36:57 21 enraged. I think he was cheating on my mom, and my mom called  
10:37:01 22 him out on it. They would have arguments. At one point I  
10:37:06 23 was -- I was sitting in the back of the car. And I don't  
10:37:13 24 remember what they were arguing about, but he told her to shut  
10:37:16 25 the fuck up, shut the fuck up, and he pointed a gun at her head



10:37:21 1 right in front of me. And he said, Say another word. Say  
10:37:30 2 another out word, bitch.

10:37:31 3 And I just I just -- I don't know how -- I still  
10:37:38 4 don't know how to process that. I still don't know how to  
10:37:43 5 process that, because it was -- the memory is there. I'm never  
10:37:47 6 going to forget about it.

10:37:49 7 At another point they were arguing -- arguing at the  
10:37:55 8 house, and they -- I had to step outside. It was something --  
10:38:04 9 every time they started arguing, I would step outside into the  
10:38:07 10 front yard or try to be in a different room so I wouldn't  
10:38:13 11 become part of it or become entangled in it.

10:38:18 12 And I heard -- I was outside. I heard a gunshot. I  
10:38:21 13 heard a gunshot. And I heard my neighbor yell, and I stepped  
10:38:27 14 outside, and I just -- the first -- first thought that came to  
10:38:31 15 my head was, is my mom dead? You know, do I still have a  
10:38:36 16 mother? I don't know what happened. I don't know what  
10:38:41 17 happened in the room. I think my mom does. But, you know,  
10:38:44 18 there was a gunshot. There was a -- he shot the back of the  
10:38:50 19 wall behind the bed. I don't know -- I don't know what  
10:38:55 20 happened. I don't what happened there.

10:38:57 21 When my little brother was born, I was almost eight  
10:39:02 22 years old, and I was -- I don't want to say "quickly replaced,"  
10:39:10 23 because it appears I was never the real child of this man, my  
10:39:16 24 stepdad, Adilson, but I was definitely put to the side. And  
10:39:27 25 when my little brother was born, I -- I absolutely hated him.

10:39:31 1 And I didn't know -- I did not know why at the time, but I did.  
10:39:39 2 I hated him. I didn't want to be around him. I did not like  
10:39:42 3 the attention he was getting. And I -- even looking back at  
10:39:48 4 it, I could try to associate that with being the big brother  
10:39:51 5 who is jealous of his little brother getting the attention.  
10:39:56 6 But this was more than that.

10:39:57 7           You know, my stepdad would put him on a pedestal, and  
10:40:02 8 he would talk about how he was going to be better than me, how  
10:40:05 9 I was fat, and how they had another chance at making this kid  
10:40:10 10 who is my brother become an athlete. And I just had this  
10:40:16 11 irrational hate, you know, towards him. I would hit him at  
10:40:20 12 times or say bad things to him or just be, you know, really  
10:40:24 13 mean.

10:40:25 14           And it took me a long while to grow out of this,  
10:40:31 15 because even by the time my stepdad was gone and my mom got  
10:40:35 16 with my second stepdad, Roger, which is the American guy she  
10:40:43 17 met when I was 12 years old and later got married to. You  
10:40:50 18 know, I remember this one instance when I was 14 and my brother  
10:40:54 19 was about six or seven, I would actually tell people he was not  
10:41:01 20 my brother. I did not want to even recognize him as a part of  
10:41:04 21 me.

10:41:06 22           And I remember he came downstairs. We were in the --  
10:41:09 23 we lived in an apartment. And he dressed up with his jersey  
10:41:15 24 and cleats and everything, and he wanted to play with the other  
10:41:19 25 kids which were my age. And I turned him around and I told

10:41:26 1 him, No, you're not -- you're not going to do this. You're not  
10:41:30 2 going to be part of this. You're not. I don't want you here.  
10:41:33 3 And I told him to go upstairs, and he went upstairs crying.

10:41:38 4           And that's painful memory that I have of something  
10:41:42 5 that was painful that I did. And only now through counseling I  
10:41:50 6 can understand that the things I did with my brother, against  
10:41:59 7 him at that time, they were not my true feelings for him. It  
10:42:05 8 was just that I associated him with my stepdad. And I hated my  
10:42:13 9 stepdad, so, therefore, I hated my little brother.

10:42:24 10           Now, I am -- the only solace that I have is that I  
10:42:26 11 can look back and see that I was very young and I can, you  
10:42:29 12 know, put that behind me and just know what happened now. But  
10:42:34 13 that did happen, and that's a painful memory that I have with  
10:42:41 14 me.

10:42:41 15           Apart from my first stepdad, once my mom got with  
10:42:44 16 the -- Roger, who was the American guy working in Brazil, I was  
10:42:48 17 in sixth grade at that time. That was at the time that I  
10:42:56 18 really realized that I was gay, and that apparently started  
10:43:05 19 becoming a problem. Not with me, of course, but with my mom.

10:43:09 20           She would -- she had made -- you know, she's here  
10:43:12 21 today -- she's here today and we've come a long way, but these  
10:43:18 22 things did happen and I'm not going to forget about them and  
10:43:25 23 I'm just dealing with it.

10:43:26 24           At that time, when I was 12, she told me you are at  
10:43:29 25 the age where boys your age start getting girlfriends. And if

10:43:39 1 you do have a girlfriend or you get with a girl, you can talk  
10:43:42 2 to me about it. I was a little embarrassed, as any 12-year-old  
10:43:50 3 kid would be, but I just remember she said that. And then a  
10:43:56 4 couple of months later, she pressed me again. And I don't  
10:44:02 5 remember how the conversation went, but she at the end told me  
10:44:05 6 that, you know, it's not very uncommon for boys your age to be  
10:44:08 7 with older girls with more experience.

10:44:14 8 And I wasn't dumb. I was in puberty. I knew that  
10:44:17 9 she was talking about sex. But in a weird way I kind of felt  
10:44:23 10 like she was trying to induce me or push me. And I think  
10:44:28 11 really what happened was she noticed my lack of interest in  
10:44:35 12 females and girls, and she started pushing me towards trying to  
10:44:40 13 be with a girl.

10:44:42 14 When I was 13 and I was in seventh grade, we had  
10:44:46 15 just -- things got a little worse. When I came back -- I came  
10:44:53 16 back from school one day, me and my little brother -- he was  
10:44:55 17 only five at that time -- and we were in the living room. And  
10:45:02 18 out of no where, just completely out of nowhere, she blurted  
10:45:07 19 out and told me and my little brother, who is only five at the  
10:45:10 20 time, that if another boy talks to you and asks to see your  
10:45:20 21 dick, tell them, Get out of here, faggot.

10:45:24 22 I rolled my eyes. I wasn't trying to listen to that.  
10:45:26 23 And she told me, Do you hear me, Luann? And I said, Yes. Yes,  
10:45:31 24 Mom. I was very embarrassed by this, especially with my little  
10:45:38 25 brother there being five. And she was talking to both of us.

10:45:42 1 I just thought that was very unnecessary.

10:45:45 2           When I was 14, eighth grade, I remember being in the  
10:45:51 3 back of the car, and my mom and my stepdad were talking. And  
10:45:57 4 at that time my mom was not the most religious person in the  
10:46:01 5 world, and she was asking my stepdad Roger something about a  
10:46:10 6 religion. And she specifically asked him what was their --  
10:46:15 7 what did it have to say about homosexuality. And my stepdad  
10:46:19 8 responded that you -- you could be gay, but you could not  
10:46:24 9 practice it. I heard this, and I immediately understood that  
10:46:29 10 this was a hit, this was an attack, at me. And I didn't say  
10:46:36 11 anything, but that did stay in the back of my head.

10:46:41 12           Now, even though I did not have the support of my  
10:46:45 13 parents at home, at school things were a little different, as  
10:46:51 14 Mr. Gonzalez mentioned. I did begin exploring or, rather,  
10:46:57 15 having relationships with other boys my age at the time. And  
10:47:06 16 in -- I had -- as far as school went, I had a normal life.

10:47:13 17           I was in middle school. As you may know, Brazil, we  
10:47:18 18 love soccer, and I played goalie. I made it to the -- the  
10:47:25 19 school team. And I was actually so good that my coach at that  
10:47:35 20 time, he wanted me to play with the boys from high school, and  
10:47:37 21 I told him that that's just crazy. They're bigger than me.  
10:47:39 22 They're going to kill me. But I did very good, and I made  
10:47:48 23 many, many friends at that time. It was actually what I think  
10:47:52 24 about was the best time of my life.

10:47:56 25           I -- I didn't do drugs. I didn't drink. I didn't

10:48:01 1 even have -- I wasn't spending so much time on the Internet. I  
10:48:06 2 wasn't sitting around watching TV or even playing video games.  
10:48:13 3 My whole life was school, and there were the kids from my  
10:48:21 4 neighborhood that I would play soccer with, and there was the  
10:48:24 5 kids from my school that I was very close with and that I also  
10:48:30 6 played soccer with. And I was healthy, I was happy.

10:48:37 7 In eighth grade my mom told me that they could afford  
10:48:41 8 to put me in a better, more renown school, a more expense  
10:48:48 9 private school than the one I was going to, and I -- I chose  
10:48:53 10 against it. I was happy where I was. I didn't want to change.  
10:49:01 11 Unbeknownst to her or to anybody, I had, for the lack of a  
10:49:06 12 better word, a boyfriend, a significant other. His name was  
10:49:14 13 Pedro. And this was somebody that was -- you know, would stick  
10:49:19 14 around with me.

10:49:20 15 And at that time I was -- I was outed as gay in a way  
10:49:31 16 through little notes, but people found out. And, of course,  
10:49:38 17 there were a couple of comments here and there, but the general  
10:49:41 18 thing was, you know, my friends, that same day they found out,  
10:49:45 19 they came to me and told me that this was not -- none of their  
10:49:51 20 business, that I should live my life the way I want to. So, in  
10:49:56 21 a way, I kind of felt like back in the day I didn't think much  
10:49:59 22 about it. But I -- looking back at it now, it was good to be  
10:50:06 23 either accepted or that this wasn't a problem or that nobody  
10:50:11 24 really that I knew up close tried to treat me different for my  
10:50:17 25 sexuality.

10:50:24 1 In eighth grade my -- I found out my stepdad, his  
10:50:28 2 contract with Sikorsky, which they make Black Hawks, the  
10:50:33 3 helicopters the Brazilian Army uses, they -- his contract was  
10:50:39 4 ending. He was actually pissed off at his manager and, you  
10:50:47 5 know, he wanted to go back to the United States.

10:50:48 6 And from the moment I met my stepdad two, three years  
10:50:53 7 earlier, I already knew this was going to happen, that at some  
10:50:58 8 point we were going to go to the United States. And at that  
10:51:03 9 time I didn't know anything about politics. I did not know  
10:51:08 10 anything about nothing. I was just this kid that cared about  
10:51:12 11 soccer. I had a -- I had friends, I had a boyfriend, and I was  
10:51:17 12 happier where I was. It's not that I did not want to come  
10:51:21 13 here, but I did not want to change my life as it was when I was  
10:51:30 14 in Brazil. But then, again, I was 14 years old. I didn't have  
10:51:35 15 a choice. My mom in a way convinced me I was crazy for not  
10:51:41 16 wanting to come here, and I did. I ended up coming here that  
10:51:47 17 summer of 2009 when I was 15 years old, and I started my -- my  
10:51:54 18 freshmen year in high school here in Texas.

10:52:04 19 I'm going to just try to summarize, because  
10:52:08 20 there's -- I just wanted to tell you where I think I did suffer  
10:52:13 21 a lot here, Your Honor. I had what I thought was a normal  
10:52:19 22 life, that was good and I was happy and I did not need drugs or  
10:52:24 23 alcohol or anything like that, or even video games, to make me  
10:52:29 24 happy. And I was a very social person with many friends, and I  
10:52:32 25 was physically active.

10:52:33 1 And when I came here, people treated me differently  
10:52:37 2 at school for being gay. I tried to ignore that, and it  
10:52:48 3 continued on. People called me names, they made remarks, they  
10:52:54 4 made jokes. I got into physical and verbal altercations to  
10:53:01 5 protect myself. And this got so bad to the point that I had to  
10:53:09 6 quit soccer, which was the last thing I had left after moving  
10:53:12 7 from Brazil here, because I didn't have my families anymore --  
10:53:16 8 I didn't have my family anymore. I didn't have friends. I  
10:53:20 9 lost my boyfriend. And now I couldn't even play the sport that  
10:53:26 10 I liked because I was bullied. I was bullied.

10:53:32 11 This went on throughout pretty much my whole high  
10:53:36 12 school. I had to live as a different person. And I know that  
10:53:39 13 that definitely changed me. I did not know at the time, and I  
10:53:45 14 know now, that I went through a very dark time, a very -- I  
10:53:50 15 went through depression. And at that time I wasn't accepting  
10:53:55 16 or did not want to accept that that's what was happening to me.

10:54:06 17 And I learned a couple of months ago, after being  
10:54:09 18 moving to McLennan County where they had a tablet, so I went  
10:54:12 19 through the education and I started learning about mental  
10:54:14 20 health. And, wow, it was -- it was the perfect storm. I mean,  
10:54:19 21 I came here. I couldn't be accepted by my parents at home. I  
10:54:28 22 couldn't be accepted by my friends at school. There was just  
10:54:35 23 nothing anybody could do for me. And that's when -- at that  
10:54:37 24 time when I -- the only safe place that I had was the Internet,  
10:54:44 25 and that's where I met people for good and bad. And that was



10:54:49 1 basically my sex education there, was the only place where I  
10:54:54 2 would be my myself, was on the Internet. And that's when I  
10:54:57 3 started looking at pornography and even at child pornography,  
10:55:04 4 which at the time looking at other teenagers my age.

10:55:13 5 After that came about and the FBI came to my house,  
10:55:16 6 my mom took me to a pastor, and this wasn't very helpful. We  
10:55:24 7 got stuck on the whole homosexuality is wrong and this is the  
10:55:28 8 law of God. And I couldn't be in that place. The counseling  
10:55:38 9 that I went to was much more open. She tried to address me.  
10:55:44 10 She asked me the things that I needed, and I told her I  
10:55:47 11 honestly think I need companionship. I don't have any friends  
10:55:50 12 here. But we couldn't afford her, and my parents, my mom and  
10:55:57 13 my stepdad, were going through a divorce at the time. My  
10:56:01 14 stepdad was very indifferent about this, and they pulled me out  
10:56:04 15 of counseling.

10:56:06 16 After high school I began to gain a lot of weight.  
10:56:14 17 And at that time I did not understand that this was due to my  
10:56:19 18 depression. And I understand now that some people turn to  
10:56:28 19 drugs, some people turn to alcohol, and I ended up turning to  
10:56:34 20 sex as a way to cope with my -- my depression at the time.

10:56:42 21 The things that happened to me, the crimes that I'm  
10:56:46 22 being charged with, they date back to 2014. I was 20 years old  
10:56:54 23 at that time. I had finished high school a year earlier, when  
10:56:57 24 I was 19, actually. And I was very lonely. I -- the only  
10:57:04 25 people that I really had contact with were people that I talked

10:57:09 1 to on the Internet that were from Brazil.

10:57:16 2 I quickly realized that, as a young adult, if you  
10:57:20 3 don't smoke, if you don't do drugs, if you don't drink alcohol,  
10:57:25 4 if you're not going to college, and if you live in a small city  
10:57:29 5 like Marble Falls and you have a full-time job, you don't  
10:57:32 6 really have a social life. And, again, I got stuck with my  
10:57:37 7 friends on the Internet, which are the only friends that I -- I  
10:57:43 8 had.

10:57:46 9 After two years living in that confinement -- I lived  
10:57:52 10 by myself with my cat; that's all I had -- I ended up putting  
10:57:56 11 nearly 100 pounds during that time. And my mom came to my  
10:58:03 12 house one time, and she asked me if I was sick and what was  
10:58:07 13 wrong. But I just kind of rolled my eyes and didn't want to  
10:58:09 14 listen to her. I didn't want to accept that there was just  
10:58:13 15 something wrong with me. I just -- I didn't want to hear about  
10:58:16 16 it.

10:58:19 17 That was the time I met -- I started hanging out with  
10:58:22 18 my brothers, when he started going to high school, and I met a  
10:58:30 19 couple of his friends who were also in high school. This is  
10:58:33 20 also the time that my then-not husband, who was really just my  
10:58:37 21 best friend, moved from Brazil. I spent a lot of money to try  
10:58:41 22 to get him here and get him on visa and everything. And that's  
10:58:44 23 the reason why we got married, was to help him get a visa, so I  
10:58:48 24 could have somebody to be a companion with here.

10:58:53 25 And my brother started hanging out with me, and I met

10:58:57 1 his friends. My interactions with them become inappropriate,  
10:59:06 2 including my husband also participated. And this is where I --  
10:59:14 3 actually, right before I moved in, through the process of  
10:59:19 4 depression, too, I started spending a lot of money that I  
10:59:23 5 didn't have on things I didn't need.

10:59:25 6 I bought guns. I had a Jeep that I inherited from my  
10:59:30 7 mom that was paid off, but I bought a BMW just so I could have  
10:59:37 8 the thrill to have a sports car. That added over \$700 a month  
10:59:44 9 in my budget that I didn't have. I spent money with my friend  
10:59:50 10 trying to get a visa for him. I racked over \$16,000 in credit  
10:59:55 11 card debt very quickly. And now that that thrill was gone,  
11:00:05 12 what was left over was my brothers and his friends at the time.  
11:00:11 13 And, like I said, our relationship started getting appropriate.  
11:00:17 14 I did not have intentions to harm anybody.

11:00:24 15 And I know this may be difficult for -- for people  
11:00:30 16 here in America to understand. But, unlike many people like my  
11:00:37 17 little brother, who are me that are immigrants that tend to  
11:00:42 18 come here and find another life and simply forget about home, I  
11:00:50 19 have never been happy here in this country. I had my ups and  
11:00:55 20 downs. I was very emotionally connected to my country. And  
11:01:02 21 between the first time that I was here in 2009 until 2015, I  
11:01:07 22 went back and forth to Brazil seven times and stayed there for  
11:01:14 23 either the whole summer or even a month or two at a time, where  
11:01:20 24 I had and still have a whole life there. I have family and  
11:01:24 25 friends and ex-partners that are all there.

11:01:28 1 I made -- I had two relationships that were  
11:01:33 2 meaningful to me. When I was 19 years old, I got in a  
11:01:41 3 relationship with my boyfriend Bruno. At the time he was 16  
11:01:44 4 years old in Brazil. And this was completely legal. We  
11:01:52 5 definitely loved each other and we wanted to be with each  
11:01:55 6 other, but the distance didn't help. But did meet him twice in  
11:02:04 7 Brazil, and I got to be with him and that was a very happy  
11:02:07 8 moment of my life. I met his mother. His mother liked me. I  
11:02:11 9 met his sister and a couple of his friends, too.

11:02:22 10 Of course, this was a distance relationship that  
11:02:22 11 didn't work, but I ended up being with another person, too.  
11:02:29 12 His name is Mateus, which is Matthew in Portuguese. When I  
11:02:33 13 first met him in 2014, he was 14 years old, and we were exactly  
11:02:39 14 six years apart. We had the same birthday. We shared a lot of  
11:02:43 15 things in common. And, again, this was also a fully legal  
11:02:49 16 thing in Brazil. You know, the age of consent is different in  
11:02:55 17 my country. And I was with him for a little over a year, and,  
11:03:00 18 again, this was also a distance relationship that did not work  
11:03:02 19 out.

11:03:02 20 So in 2015, after I came back, I just had ended --  
11:03:11 21 after I came back from Brazil, I had just ended two  
11:03:12 22 relationships that were meaningful to me that really only ended  
11:03:19 23 because of the whole, you know, distance issue. At the time I  
11:03:22 24 could have, if I was really crazy, just packed up my bags and  
11:03:25 25 just left back for Brazil. But I -- that's not my -- that

11:03:30 1 wasn't my plan. I had a job. I was working full-time. I was  
11:03:36 2 trying to, you know, go straight with my life and buy a house  
11:03:41 3 and get settled and things like that.

11:03:47 4 I was in no way thinking -- you know, the sad thing  
11:03:49 5 is, if I had actually been thinking about which way could I be  
11:03:56 6 with as many teenage boys as I can be without getting caught,  
11:04:00 7 all I had to do was just move back to Brazil where this was  
11:04:04 8 legal. But that's not where my mind was at. I wasn't thinking  
11:04:07 9 about that. I was actually trying to make myself a productive  
11:04:12 10 person for society and try to have a stable life before making  
11:04:16 11 a commitment with a partner.

11:04:20 12 But, in 2016, like I said, when I met my brother's  
11:04:28 13 friends were going to high school, I failed to see them as  
11:04:40 14 children. I did not intend to -- to hurt them. At the time a  
11:04:47 15 couple of them were a little shorter than me, some of them were  
11:04:50 16 actually a little taller than me, and they played football. I  
11:04:56 17 was seeing them at the time as young men, not as vulnerable  
11:05:05 18 children. And, you know, coming from my country where I just  
11:05:11 19 had these two relationships, I did not see at the time this as  
11:05:19 20 something that was incredibly, incredibly wrong and hurtful. I  
11:05:27 21 was not trying to hurt these people.

11:05:32 22 And this was also at the time that I started selling  
11:05:36 23 vapes and alcohol. I had no idea I was going to make so much  
11:05:43 24 money. The first month that I did this, I made \$700. I  
11:05:46 25 thought it was just going to be a side hustle so I could pay

11:05:50 1 rent and try to get back on my feet. And I also did not see  
11:05:57 2 this as awfully wrong, because I wasn't selling, you know,  
11:06:03 3 illegal drugs, I was just selling contraband. And I didn't see  
11:06:09 4 it as something that was very hurtful.

11:06:12 5 But with the stories of what happened with me and my  
11:06:18 6 brother's friends, it -- these things became an open secret.  
11:06:22 7 And there were these rumors that I had paid somebody \$500 to  
11:06:30 8 have sex with them. Actually, they said both me and my husband  
11:06:33 9 paid them \$500 to have sex with them. And that's a lot of  
11:06:38 10 money. And this was at the time that I started getting a lot  
11:06:47 11 of proposals from many boys to do the same thing. And I -- I  
11:06:57 12 had never dreamed that I would be in a situation like that.  
11:07:02 13 There was just a lot of temptation.

11:07:07 14 I wanted affection. Many of these people that I  
11:07:10 15 talked to, they -- I tried to be friends with them, not for the  
11:07:17 16 purpose of groom them or trying to do these things with them,  
11:07:25 17 because the sexual aspect was already there. People already  
11:07:28 18 knew. I see -- I don't want to say his name, but the gentleman  
11:07:35 19 with long hair that's here today that was one of my victims, I  
11:07:41 20 read your parents' testimony. I'm really sorry to what  
11:07:47 21 happened to you. I never intended to hurt you. I saw you as  
11:07:55 22 my friend, and you made me feel like you were my friend.

11:08:05 23 You're a very smart person. I remember we would talk  
11:08:08 24 about things like politics and stuff. And this was important  
11:08:17 25 to me, because the sex part was just a human feeling that was

11:08:24 1 essential. I was a young man. I was 20, 21, 22. But I also  
11:08:30 2 wanted the affection and the friendship. I think, as one of  
11:08:33 3 the victims mentioned here, that he wanted to be friends and  
11:08:37 4 that -- that was true. The sex was a smaller part of it, and  
11:08:46 5 that's why I ended up hanging out with these people. That's  
11:08:51 6 why they would come to my house and they would bring their  
11:08:54 7 friends. And most of the time there wasn't an actual sexual  
11:09:00 8 relationship.

11:09:02 9           And I am sorry that these things -- I failed to see  
11:09:12 10 how wrong these things were. I was in a very fragile state of  
11:09:20 11 mind that I did not know at the time, and now with my  
11:09:23 12 counselors and my -- I've been trying to get help. I've been  
11:09:35 13 trying to get help. I asked Limestone. I spoke to mental  
11:09:37 14 health. They talked to me. I told them my whole story. I  
11:09:42 15 talked to them twice, actually. They said they were going to  
11:09:44 16 prescribe medication for me; they never did it.

11:09:46 17           They moved me to Waco. I talked to mental health in  
11:09:55 18 there, and it was the same thing. They talked to me, and then  
11:09:57 19 they never did anything about it. I recognize that I have  
11:10:05 20 issues. I recognize that I want to change. I hurt my family,  
11:10:07 21 and my mother is here present. My stepdad, who is the father  
11:10:15 22 of my stepbrothers wrote a letter, Your Honor. I believe you  
11:10:18 23 read it. And it's been very difficult for us as a whole to go  
11:10:28 24 through this, and he expressed that in his letter.

11:10:34 25           And even one person who was my victim, my half

11:10:38 1 brother, wrote a letter. And he says that, you know, he does  
11:10:45 2 not agree with my crimes, but he also knew the good side of me.  
11:10:51 3 My stepdad knew the good side of me. I'm terribly sorry for  
11:11:00 4 these people that I ended up hurting. That was not, absolutely  
11:11:08 5 not, my intention.

11:11:09 6 I'm a person. I am not a sociopath. I care about  
11:11:11 7 other people, just like I did care about my stepbrother. His  
11:11:15 8 mother is present today, Paulette.

11:11:22 9 I -- even after [REDACTED] had been kicked out of his  
11:11:27 10 parents' house against my best thinking, I ended up, you know,  
11:11:35 11 taking him to live with me. And I had problems with him and,  
11:11:47 12 you know, his drug usage. I do believe you remember the  
11:11:51 13 episode where he overdosed on -- I'm not sure if it's Xanax or  
11:11:56 14 something. But he was taken to the hospital, and I believe you  
11:12:04 15 spent the night with him that day and then you drove him to  
11:12:07 16 Tim, my stepdad. And then Tim asked me to go pick him up so I  
11:12:13 17 could take him back to home where he was living with me.

11:12:16 18 But he had not fully recovered from -- from his drug  
11:12:26 19 at that time, and he was going through withdrawals. And I  
11:12:28 20 think you read the letter that the government attached that I  
11:12:39 21 wrote, and I talk about this episode where [REDACTED] became  
11:12:41 22 extremely erratic.

11:12:41 23 MR. SRINIVASAN: Your Honor, we just ask that the  
11:12:42 24 defendant not use the victims' names. It's not necessary.  
11:12:45 25 He's reciting a letter that's already in the record. He can



11:12:48 1 use initials. He can use the victim numbers. He doesn't need  
11:12:51 2 to use names in the public record.

11:12:52 3 THE COURT: Please do not use the names of any person  
11:12:57 4 in --

11:12:57 5 THE DEFENDANT: I --

11:12:57 6 THE COURT: Don't interrupt me.

11:12:59 7 THE DEFENDANT: I'm sorry.

11:12:59 8 THE COURT: Please do not use the names of anyone  
11:13:01 9 involved in this. And rest assured that I have read everything  
11:13:04 10 that has been provided to me.

11:13:08 11 THE DEFENDANT: I apologize, Your Honor. I  
11:13:09 12 apologize. I knew these people. It's hard. The names are in  
11:13:16 13 my head, but I will not use their names.

11:13:18 14 But when he came back to my house where he was living  
11:13:23 15 with me, I had to -- I don't know if you can count this as  
11:13:30 16 false imprisonment or what, but he wanted to get out of the  
11:13:33 17 house so he could get more drugs. And I was worried that,  
11:13:39 18 because of the state he was in and because of what had happened  
11:13:42 19 the day before, that he was going to get shot, that somebody  
11:13:48 20 was going to do something with him because he was so erratic.

11:13:52 21 So I prohibited him. I told him he was not going  
11:13:55 22 outside. And he said he was going to commit suicide, that he  
11:14:01 23 was going to jump off the balcony. And I absolutely cared  
11:14:05 24 about him and his life, and I had to take him and subdue him.  
11:14:14 25 And I end up calling 9-1-1, I called my mom, and my stepdad,

11:14:18 1 because I -- I did care for his life.

11:14:25 2 And I know I wrote a letter. I bypassed my lawyers  
11:14:31 3 to write a letter where I talk about my crimes, and I believe  
11:14:38 4 the government took the letter in the wrong way. I know it was  
11:14:45 5 strongly worded. I was very emotional. I do stand by what I  
11:14:51 6 said, that my stepbrother had become -- he was -- he is a  
11:14:59 7 victim. That at the time he -- this was my adult  
11:15:04 8 stepbrother -- he had crossed the line from victim to become a  
11:15:11 9 coconspirator of mine. And all I wanted to do was to come  
11:15:17 10 clean and help the government.

11:15:18 11 I told my lawyer I have names, I have evidence. I'm  
11:15:25 12 willing to testify about what my stepbrother did and even about  
11:15:30 13 what my husband did, and that I knew that there were these  
11:15:41 14 three girls that I talked to who reported to me that they were  
11:15:43 15 sexually assaulted. I was trying to mitigate my -- my actions.

11:15:53 16 And I was in a very difficult situation with my  
11:15:56 17 stepbrother. He had made up with somebody else these rape  
11:16:05 18 accusations and tried to blackmail me. And he did this as a  
11:16:09 19 coconspirator, and he did take videos of another person that I  
11:16:17 20 had not done. I did do many of these things, but brother  
11:16:20 21 also -- my stepbrother had also participated.

11:16:25 22 But I don't wish him to go through what I'm going  
11:16:29 23 through right here right now. It's been very difficult. My  
11:16:39 24 stepbrother was very young. He was 19 at the time. He was  
11:16:42 25 young and dumb. And looking back, it's the same way with me.

11:16:46 1 I think he will be better off. He needs help, and I need help,  
11:16:57 2 too. And I don't want to put any more strain on our family.  
11:17:02 3 They have already been separated from me, and I wouldn't wish  
11:17:06 4 that same thing happen to -- to my stepbrother.

11:17:09 5 I do know that there's a victim impact program in the  
11:17:14 6 BOP. I know there's a thing here in Texas, too. I just want  
11:17:20 7 to say that I, again, never intended to hurt you guys. I  
11:17:26 8 wanted to be friends with you, and I failed you. I did these  
11:17:34 9 things that were criminal, they were heinous. At the time I  
11:17:39 10 didn't see this. I thought I was just a young man trying to  
11:17:44 11 have fun, but I ended up being a broken man that just needed  
11:17:48 12 help and needed affection.

11:17:51 13 Moving forward, I -- I don't know if it's appropriate  
11:17:57 14 to say this, but to invite anybody who wants to communicate  
11:18:02 15 with me and tell me your feelings to what happened -- I don't  
11:18:09 16 know -- through the victim impact program to -- so I can help  
11:18:15 17 you heal and you can tell me everything that I did wrong.  
11:18:21 18 Because at the time I -- I was blindsided. I was in a very  
11:18:29 19 dark spot.

11:18:31 20 And I beg Your Honor that you please -- I understand  
11:18:39 21 that the government has asked for the maximum sentence. When  
11:18:44 22 we came up with this plea agreement, my lawyer -- I have a  
11:18:51 23 letter here from him where he stated, in order to get this plea  
11:18:57 24 agreement done before there was even a provision, talking about  
11:19:01 25 the guidelines, that they had to talk to every single victim

11:19:07 1 and their families. And they agreed overall that this  
11:19:16 2 guideline was an appropriate one. So I understand the feelings  
11:19:24 3 that they have, and I cannot apologize enough for what I did.

11:19:30 4 And I think my lawyer explained here that, overall,  
11:19:39 5 this punishment will be enough. I will be losing half of my  
11:19:46 6 life. And I ask you to please do not sentence me to death by  
11:19:51 7 incarceration. That's what 80 years would mean to me. It  
11:19:57 8 would put a bigger strain on my family, my brother, my stepdad.

11:20:05 9 And I really regret what I did, and I'm only here  
11:20:10 10 today because of the insistence of my mom and friends and  
11:20:15 11 husband. Because, if it wasn't for them, I would have already  
11:20:18 12 killed myself in jail. And certainly this is a plan that is  
11:20:23 13 still in my mind. I -- I think about it. And it's just -- I  
11:20:30 14 have not been happy for the last 12 years that I've been here,  
11:20:33 15 and I -- I can't see myself spending the rest of my life in  
11:20:40 16 jail. I will -- something's going to happen. I'm not sure  
11:20:50 17 what it is.

11:20:51 18 But I beg Your Honor that you please find it in your  
11:20:56 19 heart to not give me the maximum sentence. I have had the  
11:21:00 20 displeasure of reading multiple other cases from this district,  
11:21:06 21 from many other ones involving many more victims who were  
11:21:11 22 blackmailed, extorted, or even forcibly raped that received a  
11:21:17 23 sentence equal to the guidelines that I have or even less than  
11:21:24 24 that. And I think my lawyer, Mr. Gonzalez, pointed out a  
11:21:27 25 couple of those.

11:21:29 1 So, again, I'm sorry. I don't know if I can ever  
11:21:35 2 help you recover. I would like to try. I am not a sociopath.  
11:21:40 3 I am not the kind of person that tries to hurt other people. I  
11:21:44 4 never did those things with intention of hurting. I do realize  
11:21:49 5 how hurtful they are now, and I want to change. I want to be  
11:21:52 6 able to go through treatment. I want to be able to take the  
11:21:55 7 right medication. I want to be able to become a positive,  
11:21:59 8 productive member of society again.

11:22:02 9 Thank you, Your Honor.

11:22:04 10 THE COURT: Thank you.

11:22:04 11 Mr. Gonzalez, do you have anything further before  
11:22:07 12 sentence is pronounced?

11:22:08 13 MR. GONZALEZ-FALLA: No, Your Honor.

11:22:10 14 THE COURT: The court has read and reviewed the  
11:22:13 15 presentence investigation report prepared by the probation  
11:22:15 16 department in this case, and I accept and adopt that report.  
11:22:20 17 And I find that the total offense level under the guidelines is  
11:22:25 18 41, the correct criminal history category of this defendant is  
11:22:29 19 one, and the correct guideline range is a term of incarceration  
11:22:34 20 of 324 to 405 months.

11:22:39 21 But a word there: The court is bound in this case,  
11:22:47 22 like it is in all criminal cases, to impose a sentence that is  
11:22:51 23 sufficient but not greater than necessary to comply with the  
11:22:57 24 purposes that Congress has set forth in Title 18 of the  
11:23:00 25 United States Code, Section 3553, in determining an appropriate

11:23:05 1 sentence.

11:23:07 2           One of the things under current law the court  
11:23:10 3 considers is the types of sentences available to the courts.  
11:23:16 4 Two of those types are the statutory sentence, which with  
11:23:21 5 regard to Counts One and Two to which the defendant has been  
11:23:25 6 found guilty, provide for a minimum sentence of 15 years and a  
11:23:31 7 maximum of 30 years, and Count Three, a minimum sentence of  
11:23:36 8 5 years to a maximum of 20 years.

11:23:42 9           What the guidelines are is an attempt of Congress and  
11:23:45 10 the United States Sentencing Commission to take a broad range  
11:23:48 11 that a statute provides for punishment and apply some objective  
11:23:54 12 standards to it and come up with a sentence and focus the court  
11:23:59 13 on a sentence that would come within that overall range.

11:24:05 14           So I have not only considered the statutory range of  
11:24:08 15 punishment, but I have considered the guideline range. And  
11:24:15 16 this court starts always with the statutory range; I don't  
11:24:19 17 start with the guideline range. I look at the statutory range,  
11:24:24 18 and then I consider the guideline range as one of the factors  
11:24:32 19 that I can consider under Title 18, Section 3553, which assures  
11:24:38 20 that the courts are to consider all sentences available in this  
11:24:46 21 case. So I have done that.

11:24:51 22           I also have carefully reviewed -- I indicated that I  
11:24:57 23 have read and reviewed the presentence investigation report,  
11:24:59 24 but I have gone over it with a fine-tooth comb. It is a  
11:25:05 25 detailed analysis of what is involved in this case.

11:25:12 1 I've also read the charging instruments in this case.  
11:25:19 2 As I said, the defendant pleaded guilty to three counts that  
11:25:24 3 were charged in a second superseding indictment -- pardon me --  
11:25:30 4 a second superseding information. That was returned well after  
11:25:36 5 the original indictment in this case and after discussions  
11:25:40 6 between the defense and the government over a period of time.  
11:25:44 7 But I have read the preceding charging instruments, going back  
11:25:48 8 to the indictment that originally charged this defendant with  
11:25:57 9 52 counts.

11:25:59 10 So I do point out that by allowing this defendant to  
11:26:01 11 plead to three of those counts out of 52, he has been given a  
11:26:09 12 large break on what the statutory maximum would have been and  
11:26:15 13 what he was facing when he was first arrested in this case.

11:26:22 14 I have further carefully reviewed the plea agreement  
11:26:25 15 in this case entered into between the government and the  
11:26:28 16 defendant, and I want to raise a question to everyone here.  
11:26:36 17 The plea agreement with regard to victim restitution, and  
11:26:44 18 victim restitution is made mandatory under the *Paroline* case,  
11:26:53 19 but in -- on page 8 of that plea agreement under Defendant's  
11:26:56 20 financial obligations, paragraph E discusses restitution. And  
11:27:04 21 it says: The defendant agrees to and will be ordered to pay  
11:27:07 22 restitution in the amount of \$3,000 to each victim associated  
11:27:11 23 with the original indictment who may be identified and request  
11:27:16 24 restitution prior to sentencing.

11:27:20 25 Now, I have received recently -- and I presume that

11:27:26 1 the other -- that the defendant and the government, at least  
11:27:30 2 their lawyers, have received information about two of the  
11:27:36 3 victims that have requested restitution, one in the amount of  
11:27:43 4 \$167,082.67 and one in the amount of \$193,581.02. So my  
11:27:53 5 question is: Other than those requests, have there been any  
11:27:59 6 other requests for restitution known to the government?

11:28:04 7 MR. SRINIVASAN: No, Your Honor. I would just note  
11:28:06 8 that in some of the victim impact statements, the victims do  
11:28:09 9 note dollar figures on what they have incurred as part of, you  
11:28:13 10 know, the response to what has happened. But in terms of  
11:28:16 11 formal restitution requests, those are the two that we have.

11:28:20 12 THE COURT: Well, what is the government's position  
11:28:21 13 on restitution? Because that becomes a sticky issue in these  
11:28:25 14 cases, and it is something that I like to get resolved before  
11:28:29 15 we spent half a day in a sentencing hearing like we have today.  
11:28:35 16 So do you consider those restitution requests, or do you not  
11:28:41 17 consider those restitution requests?

11:28:42 18 I have not received much guidance from either the  
11:28:46 19 government or the defendant on what would be appropriate  
11:28:50 20 restitution in this case. And the way I read the case law, I  
11:28:54 21 am obligated to impose restitution.

11:29:01 22 MR. SRINIVASAN: What --

11:29:01 23 THE COURT: But it doesn't -- the cases are very  
11:29:05 24 vague on what that restitution involves. But I like, when I'm  
11:29:09 25 doing a sentencing hearing, to finish everything up. So are



11:29:14 1 you asking for restitution and some amount other than the two  
11:29:18 2 formal requests I have, or are you not?

11:29:20 3 MR. SRINIVASAN: No, Your Honor. Those are the two  
11:29:22 4 formal requests we have that I think would satisfy the *Paroline*  
11:29:24 5 factors. The Court could -- and 3664 does allow this -- impose  
11:29:28 6 all the elements of sentence except restitution today. I  
11:29:31 7 understand the Court's preference. I'm just saying the law  
11:29:32 8 does allow for an additional period where victims could make  
11:29:36 9 claims. But I understand what the Court is saying.

11:29:38 10 THE COURT: Were all of the victims known to the  
11:29:40 11 government given the opportunity to make a claim, and were they  
11:29:44 12 told about this, to your knowledge?

11:29:45 13 MR. SRINIVASAN: To my knowledge, yes.

11:29:47 14 THE COURT: All right. Has the probation office  
11:29:50 15 received any claims other than the two I have just recited that  
11:29:53 16 have come forward to me?

11:29:55 17 PROBATION OFFICER: No, Your Honor. Those are the  
11:29:56 18 only two that we presented to both parties and the Court.

11:29:59 19 THE COURT: And, Mr. Gonzalez, on behalf of the  
11:30:04 20 defendant, do you take issue with those claims, and do you  
11:30:10 21 desire to offer any further evidence or in any way argue  
11:30:15 22 against those restitutions?

11:30:16 23 MR. GONZALEZ-FALLA: No, Your Honor. I told the  
11:30:17 24 government yesterday we have no objection to the Court awarding  
11:30:20 25 the restitutions that are being requested by the victims.

11:30:24 1 THE COURT: All right. Now, I've also considered and  
11:30:26 2 carefully read the -- I believe the last count was ten victim  
11:30:31 3 impact statements that came my way, some of them by the same  
11:30:35 4 people who spoke in this proceeding today. I also received  
11:30:40 5 nine support letters on behalf of the defendant which I have  
11:30:45 6 carefully reviewed.

11:30:46 7 I received a sentencing memorandum by the government  
11:30:50 8 which, as we have discussed here, the government requests that  
11:30:55 9 the court sentence this defendant to the statutory maximum of  
11:31:00 10 960 months in this case. I have further carefully reviewed the  
11:31:07 11 defendant's sentencing memorandum and all of the attached  
11:31:13 12 documents. I particularly paid careful attention the case  
11:31:16 13 review and evaluation by Elizabeth J. Griffin and David  
11:31:22 14 Delmonico that was attached to that, as well as all other  
11:31:26 15 letters and information attached to their sentencing  
11:31:29 16 memorandum, as well as the attachments to the government's  
11:31:34 17 sentencing memorandum.

11:31:36 18 Additionally, today I have had the benefit of the  
11:31:39 19 statements of six victims or parents of victims, but at least  
11:31:47 20 six oral statements here today by victims. And I have heard  
11:31:53 21 what the defendant's mother has said here in support of him as  
11:31:58 22 well as what the defendant himself has told the court today and  
11:32:03 23 the arguments of the lawyers.

11:32:07 24 I have taken all of this information I have just  
11:32:09 25 recited into account in determining what I think would be, in

11:32:14 1 fact, a sentence that is sufficient but not greater than  
11:32:19 2 necessary to comply with Congress's purposes as set forth in  
11:32:25 3 the statute that I have recited.

11:32:30 4 In the federal system the judge is charged with  
11:32:36 5 sentencing in every case. In the state system the jury, more  
11:32:40 6 often than not, assesses sentence, but in the federal system it  
11:32:44 7 comes down to the court. Often, the court is submitted with  
11:32:50 8 varying theories, varying analyses, and any number of matters  
11:32:57 9 that the court must consider. The people who have been present  
11:33:01 10 here in this courtroom today have heard a lot about that and  
11:33:04 11 know what's out there.

11:33:06 12 The defendant has been very well represented by  
11:33:10 13 counsel in this case, who has argued that the sentence sought  
11:33:16 14 by the government is an emotional sentence. The defendant,  
11:33:23 15 though, has recognized the situation that he is in by being  
11:33:31 16 convicted of these crimes and suggests a within-guideline  
11:33:35 17 sentence of 324 months, or 27 years.

11:33:40 18 Twenty-seven years is a substantial sentence that the  
11:33:46 19 defendant recognizes in this case. Eighty years, which is what  
11:33:49 20 the government requests, is a substantial sentence. That's  
11:33:56 21 what the statute would provide. It would have provided for  
11:34:02 22 much more than that had the defendant, as I noted, not be  
11:34:06 23 allowed to plead to but three counts in this case.

11:34:10 24 So, with all that in front of the court and with the  
11:34:15 25 wealth of information the court has received in this case from

11:34:21 1 all of the parties and as recited to me, it now comes down to  
11:34:27 2 me to make a final decision in this case.

11:34:35 3 I have considered all of the factors in Title 18,  
11:34:38 4 Section 3553. I have mentioned one of them earlier regarding  
11:34:43 5 the types of sentences. But other things I must consider are  
11:34:47 6 the seriousness of the offense. I find that this offense is of  
11:34:56 7 such that there are very few offenses that have come before  
11:35:01 8 this court in the past or will come before this court in the  
11:35:04 9 future that are more serious than this.

11:35:07 10 It was ongoing. I will say, after listening and  
11:35:11 11 reading everything that I have done in this case, that I  
11:35:20 12 believe the defendant, although he may not have seen his  
11:35:28 13 actions as wrong, I believe that he clearly knew they were  
11:35:31 14 wrong. When I have reviewed the entire history of this case  
11:35:36 15 and the nature and circumstances of the offense and the history  
11:35:40 16 and characteristics of the defendant, many of which he outlined  
11:35:44 17 here today, and taken into account the ages of the young people  
11:35:49 18 involved, it is very clear to me that, although this defendant  
11:35:54 19 has a background that undoubtedly contributed to what he had in  
11:36:00 20 his mind, that he knew this was wrong.

11:36:05 21 We deal with the crime in this court in assessing  
11:36:10 22 what is a sentence that is sufficient but not greater than  
11:36:13 23 necessary to punish the defendant, but we take into account the  
11:36:21 24 subjective matters also, such as the defendant's background --  
11:36:25 25 some of that is objective; some of it's subjective -- and the

11:36:34 1 accounts and statements by experts in this case who may -- or  
11:36:39 2 in any case who may have examined the defendant, which is why I  
11:36:44 3 looked so carefully at the report I mentioned by Ms. Griffin  
11:36:48 4 and Mr. Delmonico.

11:36:54 5           When you sort all of this out, you have two sides  
11:37:00 6 arguing what the court should place the most attention on here.  
11:37:07 7 I believe, from everything I've learned and know about this  
11:37:10 8 case, that there should have been earlier intervention by law  
11:37:13 9 enforcement in this case, when the questions were first raised  
11:37:18 10 earlier. There were not.

11:37:24 11           It is clear to this court that this defendant, for  
11:37:28 12 whatever reason, enticed his victims. He made friends with his  
11:37:36 13 victims. He earned their trust, and then he acted the way he  
11:37:41 14 acted. I think the statement that he, to some extent, was  
11:37:48 15 extorted by his victims is overstating.

11:37:51 16           I have also taken strong account into -- or strong  
11:37:57 17 consideration into the factor that the court must assert  
11:38:03 18 sentence that would promote respect for the law, to provide  
11:38:07 19 just punishment for the offense, to avoid adequate deterrence  
11:38:11 20 to criminal conduct by not only this defendant, but others, and  
11:38:17 21 to provide the public from further crimes of this defendant. I  
11:38:24 22 have also considered each and every of the other factors of  
11:38:27 23 Title 18, Section 3553, but what I've just stated are the ones  
11:38:36 24 that I have paid most attention to.

11:38:38 25           It is clear from the facts before me that, in

11:38:40 1 addition to the personal interaction by this defendant with his  
11:38:43 2 victims, he did distribute videos. He did go beyond any  
11:38:51 3 reasonable guidelines of human interaction, and his crimes are  
11:38:57 4 particularly egregious.

11:38:59 5           Having said that, I have also reviewed the mitigating  
11:39:02 6 factors in Section 3661. I also note, Mr. Hida, I think as  
11:39:13 7 you've seen here today, your actions affected people beyond you  
11:39:18 8 and your victims. It is not an overstatement to say that you  
11:39:23 9 have not only ruined your victims' lives, you have ruined your  
11:39:28 10 own life and your family's life as well. I could not help but  
11:39:33 11 think that as I heard your mother speak today.

11:39:39 12           Therefore, when I take everything into account --  
11:39:42 13 and, again, I come back to I have to impose a sentence that is  
11:39:47 14 sufficient but not greater than necessary to comply with  
11:39:51 15 Title 18 -- I find that a guideline sentence, as has been  
11:40:01 16 requested by the defendant is low in here; that this is a case  
11:40:06 17 where the court must exercise its discretion under Title 18 of  
11:40:13 18 the United States Code, Section 3553, which I will do, and  
11:40:19 19 assess a sentence outside the guidelines.

11:40:24 20           I think that the sentence that I have determined to  
11:40:26 21 impose after hearing all I've heard and reading all I've heard,  
11:40:33 22 which I have recited, is a sentence tailored to meet the facts  
11:40:36 23 and circumstances of this defendant's background and the  
11:40:39 24 offense for which he has been convicted; that this sentence  
11:40:42 25 adequately accounts for all of the factors in Title 18 of the

11:40:46 1 United States Code, Section 3553, all of which I have carefully  
11:40:52 2 considered but only some of which I have specifically mentioned  
11:40:57 3 here today as opposed to going through them by rote; and that  
11:41:02 4 this sentence is in fact a reasonable sentence to impose in  
11:41:05 5 this case, taking into account all of those factors.

11:41:10 6 Therefore, pursuant to the Sentencing Reform Act of  
11:41:12 7 1984, it is the judgment of this court that you, Luann Fabric  
11:41:20 8 Campos Leao Hida, is hereby committed to the custody of the  
11:41:23 9 Bureau of Prisons for a term of 720 months, consisting of 360  
11:41:28 10 months on each of Counts One and Two to run consecutively, and  
11:41:32 11 240 months on Count Three to run concurrently with the sentence  
11:41:41 12 imposed on Counts One and Two, for a total sentence of 720  
11:41:44 13 months.

11:41:46 14 A review of the presentence investigation report and  
11:41:50 15 what has been said here today indicates that there are a number  
11:41:56 16 of pending state charges in both Travis and Hays Counties, one  
11:42:02 17 of which the probation department has indicated is probably a  
11:42:08 18 direct relation to this case, the others are not.

11:42:13 19 This court will make no recommendation to any state  
11:42:17 20 authority or any county as to whether those counties want to  
11:42:23 21 prosecute their cases or not. So, therefore, it is the court's  
11:42:29 22 intention that the sentence that I have just imposed will run  
11:42:31 23 consecutive to any sentence imposed by any state authorities.

11:42:37 24 Upon release from imprisonment, the defendant will be  
11:42:43 25 placed on supervised release for a term of 10 years, consisting

11:42:45 1 of 10 years on each of Counts One, Two and Three, to be served  
11:42:49 2 concurrently.

11:42:50 3           Within 72 hours of release from the custody of the  
11:42:53 4 Bureau of Prisons, the defendant shall report in person to the  
11:43:02 5 probation office in the district to which he is released.

11:43:03 6           While on supervised release, the defendant shall not  
11:43:03 7 commit another federal, state, or local crime, and shall comply  
11:43:06 8 with the mandatory and standard conditions adopted by this  
11:43:09 9 court on November 28th, 2016 which include, in part:

11:43:14 10           If the defendant is excluded, deported, or removed  
11:43:17 11 upon release from imprisonment, the term of supervision shall  
11:43:22 12 be nonreporting supervised release. The defendant shall not  
11:43:26 13 illegally reenter the United States. If the defendant lawfully  
11:43:31 14 reenters the United States during the term of supervised  
11:43:34 15 release, he shall report immediately in person to the nearest  
11:43:38 16 United States probation office.

11:43:41 17           It is further ordered that the defendant shall make  
11:43:43 18 restitution to the following victims in the following amounts  
11:43:47 19 for a total of \$360,663.69:

11:43:53 20           To the legal guardian of the Victim W.E.,  
11:43:57 21 \$167,082.67;

11:44:01 22           To the legal guardian of Victim P.C.F., the sum of  
11:44:06 23 \$193,581.02.

11:44:11 24           If the defendant is not now able to pay this  
11:44:14 25 indebtedness, he shall cooperate fully with the Office of the



11:44:18 1 United States Attorney, the Bureau of Prisons, and the United  
11:44:21 2 States Probation Office to make payment in full as soon as  
11:44:25 3 possible, including during any period of incarceration.

11:44:31 4 Any unpaid balance at the commencement of a term of  
11:44:34 5 supervised release shall be paid on a schedule of monthly  
11:44:36 6 installments to be established by the United States Probation  
11:44:40 7 Office and approved by the court.

11:44:45 8 The court finds that the defendant does not have the  
11:44:48 9 ability to pay interest, and I will waive the interest  
11:44:49 10 requirement on all monetary amounts assessed in the case,  
11:44:53 11 including restitution and special mandatory assessments.

11:44:57 12 I find that the defendant does not have the ability  
11:44:59 13 to pay a fine, and I will waive the fine in this case.

11:45:08 14 I find that the defendant is indigent, and I will not  
11:45:10 15 assess a special assessment under the Justice For Victims of  
11:45:15 16 Trafficking Act.

11:45:16 17 And I find that under the -- that the Amy, Vicky, and  
11:45:20 18 Andy Child Pornography Victim Assistance Act of 2018 is not  
11:45:25 19 applicable in this case, as these crimes occurred before the  
11:45:30 20 effective date of that act.

11:45:32 21 It is further ordered that the defendant shall pay to  
11:45:34 22 the United States a special mandatory assessment of \$100 for  
11:45:39 23 each count of conviction for a total special assessment of  
11:45:45 24 \$300, which shall be due immediately.

11:45:47 25 Since the defendant is currently in custody,

11:45:51 1 voluntary surrender is not an issue.

11:45:54 2 At this time I am handing to the clerk of this court  
11:45:56 3 the presentence investigation report prepared by the probation  
11:45:59 4 department in this case and to which we have referred during  
11:46:03 5 this proceeding. I'm ordering that that report be sealed.  
11:46:11 6 That means that no one may come to the district clerk's office,  
11:46:13 7 Mr. Hida, and read about you or any member of your family or  
11:46:16 8 any of the facts and circumstances surrounding your conviction  
11:46:20 9 and sentencing today which may be contained in that report.

11:46:23 10 However, I wish to advise you that if there is an  
11:46:26 11 appeal from the sentence that I have just imposed, both you and  
11:46:28 12 the government may use your copies of the presentence  
11:46:31 13 investigation report for purposes of appeal, and in that event  
11:46:34 14 the presentence investigation report will become part of the  
11:46:35 15 record on appeal.

11:46:36 16 Do you understand that?

11:46:42 17 THE DEFENDANT: Yes.

11:46:44 18 THE COURT: Pursuant to the terms of your plea  
11:46:46 19 agreement, you have waived your right to appeal the sentence  
11:46:48 20 that I have just imposed except under certain circumstances set  
11:46:54 21 forth in that agreement. In a moment I will be passing to you  
11:46:57 22 and your lawyer letters that more fully explain that to you.

11:47:00 23 However, I wish to advise you at this time that if  
11:47:03 24 for any reason you desire to appeal the sentence that I have  
11:47:06 25 just imposed, or if for any reason you feel you have a right to

11:47:09 1 appeal that sentence, you may only do so if you first file with  
11:47:13 2 the clerk of this court within 14 days a written Notice of  
11:47:17 3 Appeal. That's a written document called a "Notice of Appeal."

11:47:20 4 If you do not file such a written Notice of Appeal  
11:47:23 5 with the clerk of this court within 14 days, you can never  
11:47:27 6 appeal the sentence that I have just imposed and you will  
11:47:30 7 forever waive your right to appeal that sentence.

11:47:32 8 Do you understand that?

11:47:33 9 THE DEFENDANT: Yes.

11:47:35 10 THE COURT: Then at this time I am passing letters to  
11:47:38 11 that effect to you and your attorney.

11:47:40 12 Is there anything further to come before the court in  
11:47:43 13 this case at this time?

11:47:45 14 MR. SRINIVASAN: Your Honor, pursuant to the plea  
11:47:47 15 agreement, the government moves to dismiss the pending charges  
11:47:49 16 in the original indictment and the first superseding  
11:47:52 17 information.

11:47:52 18 THE COURT: The motion of the government is granted.

11:47:55 19 Mr. Hida, what that means is there are no further  
11:47:57 20 pending criminal charges against you arising out of the  
11:48:04 21 original indictment in this case.

11:48:06 22 Anything further from the defense?

11:48:08 23 MR. GONZALEZ-FALLA: Your Honor, we would request  
11:48:09 24 that the Court recommend that Mr. Hida be placed at the  
11:48:12 25 United States Penitentiary at Coleman. It is a high-security

11:48:16 1 U.S. Penitentiary. It's II -- Roman Numeral II along side  
11:48:22 2 that. It is in Florida, so it would allow for family  
11:48:25 3 visitation because they're currently living in Florida.

11:48:28 4 So it's USP Coleman II for the record, Your Honor.

11:48:32 5 THE COURT: It is the recommendation of this court to  
11:48:34 6 the Bureau of Prisons that he be placed in the facility at  
11:48:39 7 Coleman in Florida. As everybody needs to know, however, my  
11:48:43 8 recommendations are recommendations only, not guarantees. The  
11:48:46 9 Bureau will do its own evaluation of the defendant and must  
11:48:50 10 take into account its population constraints. But that will in  
11:48:54 11 fact be my recommendation to the Bureau of Prisons.

11:48:56 12 MR. GONZALEZ-FALLA: Thank you, Your Honor.

11:48:57 13 THE COURT: Anything further for the defense?

11:48:59 14 MR. GONZALEZ-FALLA: No, Your Honor.

11:49:00 15 THE COURT: Anything further from the government?

11:49:01 16 MR. SRINIVASAN: No, Your Honor.

11:49:02 17 THE COURT: At this time the court dismisses any  
11:49:04 18 pending motions on which the court has not ruled.

11:49:07 19 You are excused. Good luck to you, Mr. Hida.

11:49:10 20 (End of transcript)

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1 UNITED STATES DISTRICT COURT )

2 WESTERN DISTRICT OF TEXAS )

3 I, Arlinda Rodriguez, Official Court Reporter, United  
4 States District Court, Western District of Texas, do certify  
5 that the foregoing is a correct transcript from the record of  
6 proceedings in the above-entitled matter.

7 I certify that the transcript fees and format comply with  
8 those prescribed by the Court and Judicial Conference of the  
9 United States.

10 WITNESS MY OFFICIAL HAND this the 12th day of  
11 January 2022.

12

13 /S/ Arlinda Rodriguez  
14 Arlinda Rodriguez, Texas CSR 7753  
15 Expiration Date: 10/31/2023  
16 Official Court Reporter  
17 United States District Court  
18 Austin Division  
19 501 West 5th Street, Suite 4152  
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